



PERSONNEL POLICY

Resolution Number 19-433

March 20, 2019

This amendment supersedes any prior versions of the policies set forth herein.

Whether you have just joined our staff or have been with Delta City for a while, we look forward to a productive and successful association. The most vital component in any organization is the staff and we know our success depends, in a large part, on you. As a City employee, you not only help serve the general interest of the community but actually represent the City government to our residents.

This *Delta City Employee Handbook* contains general statements of City policy and applies to all employees of Delta City, except as specifically excluded. Do not consider this document comprehensive; it does not address all the possible applications of, or exceptions to, the general policies and procedures described. This manual contains general information and guidelines; it is not, and should not be construed as, a contract.

We designed this handbook to acquaint you with some of our basic policies, rules, and benefits. The information and guidelines are to help you understand your privileges, benefits, obligations and responsibilities as a Delta City employee.

The procedures, practices, policies and benefits described are subject to change and may be modified or discontinued. We recognize we have a responsibility to inform you of changes and will try to inform you of any changes as they occur or as soon as we can. Should anything in this handbook be unenforceable, invalid, or in conflict with State or Federal Code (Federal/USC) it does not invalidate the entire document, but only that particular provision.

These policies and procedures do not apply to members of councils and commissions, persons contracted to supply professional or technical services, and volunteer personnel who receive no compensation from the City. Please direct any questions concerning the contents of this *Delta City Employee Handbook* to your supervisor, Department Head or the Mayor.

If any departmental policies and procedures are found to be in conflict, they will be superseded by the provisions of this manual and this manual shall supersede any existing agreements made between the City and its employees.

“You,” “your,” “his or her,” and “employee” any variants of those words used in this Employee Handbook refer to an employee of Delta City, regardless of gender or pronoun used or written herein, and should be read and interpreted to effectuate the intent of this Employee Handbook as being a personnel policy relating to the employment practices of Delta City.

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SECTION I-EQUAL EMPLOYMENT OPPORTUNITY

- A. Anti-Discrimination: Delta City is committed to equal employment opportunity. We make our employment decisions based on merit and business needs and not on race, color, national origin, sex, age, religion, pregnancy, covered disability, or any other protected class as established by law. This policy applies to all policies and procedures relating to recruitment and hiring, compensation, benefits, termination and all other terms and conditions of employment.

In addition, we foster a non-discriminatory environment for qualified individuals with disabilities. What matters is that people can safely perform the essential job functions with or without reasonable accommodation. If they can do the job and the accommodation doesn't present an undue hardship on Delta City or other staff members, there is no reason for them not to be part of our organization.

Management is primarily responsible for ensuring equal opportunity, but it takes all of us to maintain a non-discriminatory work place. Please treat everyone with care and respect.

- B. Personnel Policy Committee: The Personnel Policy Committee, consisting of 5 members, will be chaired by a Council appointed employee of the City. The chair person will then make 2 appointments. Public works and library departments shall each make an appointment from their department. The Mayor and City Council shall designate a representative from the governing body. The committee shall review the provisions of the personnel policies and procedures and make recommendations to the governing body concerning compensation and benefits of all City employees.

- C. Anti-Nepotism:

1. It is the policy of Delta City to comply with the anti-nepotism policies of the State of Utah as stated in Utah Code §52-3-1, as amended.
2. Delta City will consider employment applications from relatives of current employees when openings exist. Hiring decisions will be made based on merit. Relatives will not receive preferential treatment. Employee with a relative applicant should refrain entirely from the hiring process.
3. Applicants with relatives in classified or full-time at-will service will not be hired in the same department if the applicant is to be directly supervised by one of the relatives defined in the Utah Code.

SECTION II-ADMINISTRATION

- A. Responsibility for Administration of Policies: The day-to-day management of personnel activities and operations within the City is the responsibility of the Department Heads who are also responsible for ensuring the effective administration of all policies and procedures.
- B. Personnel Records:
1. Keeping employee personnel file current is important. To help keep records up to date, it is important that employees notify Human Resource Department of any changes in an employee's:
 - Legal Name
 - Address
 - Emergency Contact
 - Marital Status
 - Telephone Number
 - Beneficiary
 - W-4 Deductions
 - Eligible Dependents
 - Military or Draft Status
 - Required Certifications, Licenses and Permits
 2. The following documents may be added if available and as appropriate:
 - Record of application for employment and employment eligibility certification.
 - Reference to transcripts of academic preparation.
 - Performance evaluation ratings.
 - References to any formal reprimand, corrective action or commendation.
 - Records of actions affecting employee salary, status or standing.
 - Any other information felt to be pertinent by the Human Resource Department or employee.
 - Medical information (i.e. doctors notes, medical releases, etc) All medical information shall be kept in a separate location from other personnel records as required by the ADA.
 - Anything a, supervisor, department head, or Human Resources Department deems relevant.

3. Personnel records are considered by Delta City to be private and are classified at "Private Records" under the Government Records Access and Management Act as contained in Utah Code Ann. 63G-2-2101 *et seq.*, as amended, and are kept in secure and confidential files. An employee may see his or her own personnel file and you may have copies of any of the documents. Direct any questions or requests to the Human Resources Department. Other users authorized by law or as determined by the Human Resources Department to have a legitimate "need to know" may access the records. A log or record of those reviewing personnel records and information shall be maintained together with the reasons for access to the records. All reviews of personnel records shall be done in the presence of the Human Resources Department.
4. All challenges to documents kept must be directed to the Human Resource Department.
5. If a disciplinary action is rescinded or disapproved upon appeal, all forms, documents and records pertaining to the case shall be removed from the personnel record and destroyed.
6. Requests for Information: When completing requests for verification of employment or responding to reference checks on previous and current employees; names, gender, gross compensation, job titles, job descriptions, business addresses, business telephone numbers, number of hours worked per pay period, dates of employment, relevant education, previous employment and similar job qualifications are treated as public data. Such requests or inquiries should be directed to Human Resource Department. Specifically, reference checks about an employee's job performance and capabilities will be answered by the Department Head with direct supervision due to their familiarity of the employee. Under no circumstances shall character judgments be issued.
7. Records Retention: All active employee files shall be kept up-to-date and the content of the file must be relevant to some aspect of current employment and work history. Generally, all records related to inactive or terminated employees shall be retained per the requirements set forth in the Utah Municipal General Records Retention Schedule (UMGRRS). For complete and accurate records of all medical examinations required by the law and records of any personal or environmental monitoring of exposure to hazardous materials-such records are required by OSHA to be retained for thirty years.

SECTION III-JOB DESCRIPTION/CLASSIFICATION

- A. Classification: Unless specifically excluded as an exempt or contract position, all the City positions are comparatively evaluated against a set of common factors and are assigned a class title (see manual sections titled "Job Descriptions" and "Salary Information") encompassing a specific salary range on the compensation plan. All employees hired will receive compensation per the classification of the position for which they are hired. Most, but not all, employees will be hired at the entry level and will progress through the salary range based on performance warranting such advancement. The exception to this would be where an employee is hired with preexisting significant education, training, or experience that is applicable to the position the employee is hired.

- B. Inability to Perform Duties: If it becomes apparent to a Department Head that an employee cannot physically perform the duties of the position, the Department Head shall require the employee to secure a medical certificate from a doctor, preferably a "Board Certified Occupational Physician," as necessary, to verify a need to restrict the employee from working for medical reasons. The Department Head shall coordinate all such action and communication with the Mayor and/or City Council. Restrictions may take the form of job restructuring, job sharing, reassignment, reclassification or other reasonable accommodation, and if such accommodation does not create an undue hardship on the City. All such considerations shall be made in compliance with the ADA.

SECTION IV-HIRING FOR NEW AND VACANT POSITIONS

- A. Recruiting: Selecting new employees or advancing employees in the City personnel system to fill a job opening shall be based on their ability, knowledge and skill levels related to the vacant position.
- B. Hiring Procedures:
1. When there is a need to recruit to fill a vacant position, Human Resources Department or designee shall prepare, advertise, and post the opening where all City employees will be made aware of the opportunity, if the vacancy is not filled by promotion. Employees wishing to apply for the position must do so by the closing date of the recruitment. All applicants will be given equal consideration.
 2. The community and labor market shall become the object of an appropriate recruitment effort. Outside applications will be accepted for a minimum of seven calendar days after or concurrent with in-house recruitment and the date of initial advertising.
 3. Interested job applicants shall complete an employment application form.
 4. Upon closing the recruitment, the Department Head over the position being recruited for shall review all applications and select at least three interview candidates. Upon completing the interviews, the Department Head shall submit the recommendation for hire to the Chief Executive Officer (Mayor) for final approval.
 5. When a need arises to create an additional position (this is not the same as filling vacant positions but adding to the number of existing positions-other than seasonal), the Department Head shall notify the Mayor and City Council of the need. The Mayor and City Council shall give authorization before recruitment for additional positions.
 6. Final Appointment: The appointing authority shall be determined on a case-by-case basis but will normally be the Department Head responsible for the recruitment. The appointing authority may also shorten or lengthen the selection process to include or exclude any selection hurdle as is deemed appropriate to the circumstances. If exceptions are made in the recruitment and selection process, it shall be documented and included in the personnel file as a "change in conditions of employment."
 7. Professional, managerial, and executive positions will follow the normal hiring process. In addition, according to ordinance 15-212, the Mayor with

the advice of the City Council shall confirm that the position was filled by a competent person.

- C. Disqualification: The City reserves the right to reject any application that indicates on its face that the applicant does not possess the minimum qualifications required for the position. Applicants and subsequently hired applicants who make false statements or who are found to have engaged in any type of deception or fraud in the application or testing process shall be rejected or immediately terminated.
- D. Qualifications:
1. Testing: Applicants may be subjected to competitive testing which may include, but not be limited to: determination of bonding ability, rating of education and experience, written, oral or physical tests; and/or background investigations.
 2. Physical Examination: Public health and safety demand that employees be physically able to perform the duties of the job classification to which they are hired. The physical requirements of the job constitute bona-fide occupational qualifications. The City will also accommodate employees and applicants in compliance with the ADA and provide "reasonable accommodation" when the cost of such is deemed "reasonable" within the City's ability to pay, and where to do so does not impair the City in its business necessities creating undue hardship.
 - a. A physical examination may be required before an applicant is appointed to any City position. The results of the examination will be evaluated by the Department Head of the vacant position and filed with the Human Resources Department if the applicant is hired. If the results of the examination give indication of physical limitations that would prevent the applicant from reasonably performing the duties of the position, consistent with ADA regulations, the applicant may be rejected as not meeting required qualifications for the job. A disabled applicant may be required to submit to a physical examination only after a job offer being made and only if all others receiving job offers are required to do the same.
 - b. The City may require a physical examination at any time during the employee's work tenure, if deemed necessary to assure the safety and health of the employee, co-workers and the public. The City will pay the cost of any required medical examination.
 3. Drug Testing: As one of the requirements in the selection process, applicants for any position may be required to submit to a drug testing

process and chemical screening to determine the presence of alcohol and chemical substances in the blood. Subject to ADA laws, any applicant who tests positive for the presence of illicit drugs will be denied employment (See Drug Free Workplace policy).

5. Driver Record Check: All applicants shall be required to sign an authorization for the City to obtain a copy of their motor vehicle driving record. These records will be evaluated by the City for compliance with requirements of the job description.
6. Hearing Test: During the selection process and periodically after hire, a hearing test may be required for personnel working in high noise exposure areas as a safety and liability precaution.
7. Employment Eligibility Verification: In conformance with the IRCA of 1986 (Public Law 99-603) and to avoid monetary penalties for the hiring of illegal workers, Human Resource Department shall establish an employment verification system, and shall verify that all applicants for vacant positions or persons hired to fill vacant positions are authorized to work within the legal boundaries of the United States.
 - a. The Human Resource Department, or designee shall complete or have completed a Department of Homeland Security, U.S. Citizenship and Immigration Services, Employment Eligibility Verification Form I-9 prior to a hired employee's first day of work and verify work eligibility through examining such documents as a U.S. Passport, birth certificate, social security card, driver's license or an alien identification document.
 - b. Employees hired must also attest in writing that they are authorized to work in the United States of America. Forms and all written verifications shall be kept along with other personnel records for a five-year period, or one year beyond termination of employment whichever is longer; and shall be made available to the Immigration and Naturalization Service or the Department of Labor upon request.

E. Conditions of Employment.

1. All final candidates are subject to and must pass a background check, which will include but not be limited to a criminal history and a check of references and/or former employers and any other sources of information, including social media.

2. All final candidates are subject to and must pass a controlled substance/alcohol test before hire.
- F. Employee Orientation: After a new employee is hired, they shall promptly receive a general orientation concerning benefits, compensation practices, personnel policies and procedures and various employment expectations.

SECTION V-EMPLOYMENT STATUS

- A. Applicability: All employees, officers, and other personnel not exempted herein, who, prior to the effective date of these policies and procedures and have successfully completed the introductory period; (see provisional employees, this section) are deemed to be fully covered employees under these personnel policies and procedures.
- B. Exempted Positions: The following types of positions have been designated as being exempt from the provisions of the personnel system (as defined below, positions in these categories are also exempt from the overtime provisions of the FLSA). The Human Resource Department will specify in writing those positions that fall under the exempt categories listed below. Exempt positions should be reviewed annually to determine whether their exempt status should be withdrawn based on changes of duties and related factors.
1. Mayor and City Council.
 2. Members of policy, advisory, review, appeal boards, or similar bodies who do not perform administrative duties as individuals.
 3. Attorneys serving as contracted legal counsel.
 4. Time-limited positions established for conducting a special study or investigation.
 5. Volunteer or intern employees who generally work fewer than 20 hours per week.
- C. Types of Employment:
1. Seasonal/Temporary Employees: Temporary is defined as being limited to a definite period of not more than six (6) consecutive months per fiscal year. Appointments, such as summer help, may be made by Department Heads to carry out necessary seasonal work. Temporary employees, whether part-time or full-time, shall not qualify for regular employee benefits (except that mandatory benefits shall be provided as prescribed by law, i.e., social security, workers compensation and unemployment).
 2. Regular Full-Time Employees: An employee who has satisfactorily met the requirements for employment, completed the designated new hire provisional period and is generally working forty hours per week (is

expected to work 2,080 hours per year), that employee is considered a regular full-time employee and is eligible for leave benefit programs.

3. Regular Part-Time Employees: Employees who were hired to work on a regular basis less than 32 hours per week. Part-time regular employees are always in probationary status and may be terminated at will, with or without cause or prior notice, for any reason or no reason at all.
 4. Permanent Part-Time Employees: Regular Part-Time Employees who have maintained continuous employment with Delta City for at least two (2) years and generally work an annual average of more than 17 hours per week. Not missing more than two (2) consecutive pay periods.
 5. Contract Employees: Contractual employment relationships shall apply to time limited positions requiring specific professional skills and abilities. The Mayor and City Council shall establish the duration of the contracts; or, in the case of time limited professions, shall be specifically determined on a project-by-project or service-by-service basis. Participation in any benefit program or the application of any of these policies and procedures shall be negotiated and written into the contract or service agreement. For the good of the service to the City or to enhance the employment opportunity offered by the City, the Mayor and City Council may establish additional contractual positions or alter the status of an existing classified position. Typically, employment agreements or contracts may be offered to individuals in key managerial or Department Head positions.
- D. Provisional Employees: All newly hired non-exempt employees are required to serve at least a three-month introductory period. This period is regarded as a testing period designed to acquaint the new employee with the position and allow the Department Head to measure fairly the employee's suitability for the job. If an employee is deemed unsuitable for the job, they may be terminated at any time during this period, with or without cause. Upon acquiring "regular" status all employees remain "at will" basis and can terminate employment with the City at any time with or without notice and with or without cause and may be terminated by the City on the same basis, consistent with public policy. Provisional employees hired to fill a regular full-time position are eligible for health and retirement benefits during the provisional period.

SECTION VI-COMPENSATION

- A. Policy: Compensation for City employees shall be equitable and competitive with the market and in accord with the City's ability to pay. The compensation plan and assignment of employees to positions and pay rates shall be recommended by the Department Head for approval by the Mayor and City Council. By ordinance, it is necessary that all employee compensation be established by resolution of the City Council.
- B. General Wage/Market/Salary Adjustments: It is the intent of the City to consider prevailing practices related to cost of living and market trends in establishing wages and salaries which constitute the formal pay schedule. On all occasions the amount of the rate changes will ultimately be based upon the anticipated effects upon the City budget. Final determination and any changes to the salary scale will be made by the Mayor and City Council. Where general, across-the-board adjustments are approved, the change will be effective on a date determined and approved by the Mayor and City Council. General adjustments are separate and distinct from performance recognition bonuses and longevity increases when they are utilized. General adjustments may affect the pay scale only, thus shifting the pay of all employees in relation to the midpoint.
1. Cost-of-Living vs. Market: Adjustments to the salary schedule may be determined periodically through analysis of market trends in comparison to cost-of-living. This may be done once per year and the City may utilize either market survey results or cost-of-living index data (U.S. Federal) or a combination of both. All employees, regardless of employment status, shall receive the benefits of such general Cost of Living Adjustments (COLA).
 2. In determining the total compensation value of the position, benefits must be considered. Base salary plus cost of benefits constitutes total compensation. In comparing benefit packages provided in the labor market, the City may evaluate type, level and cost of benefits or other factors as deemed appropriate.
- C. Hourly Rates: Temporary full-time and all part-time, seasonal and emergency employees shall be paid at an hourly rate no higher than that which is established for the position classification and may be paid at a lesser rate as recommended by the Department Head.
- D. New Hire Introductory Period: All newly hired employees of the City are required to complete a three-month introductory period. During the three-month period the Department Head shall conduct a formal performance appraisal every month. After this introductory period the employee will be eligible for an increase on the salary

range, provided he/she is retained as an employee and has satisfactory performance reviews from the immediate Department Head or Department Head. Successful completion of the orientation period results in the award of "regular" status to the employee.

- E. Promotion Orientation Period: Upon being promoted to a position in a higher classification, regular employees are assigned a review date not to exceed six months from the date of promotion. On the date of promotion, the employee will be eligible for an increase on the salary range. The employee shall retain the increase and the promotion, provided he/she demonstrates the expected level of competence required to perform the higher-level position and receives a satisfactory performance review from the immediate Department Head or Department Head.
- F. Pay Progression: Progression through the various pay grades within the salary and wage scale shall be based upon the recommendation of the Department Head with final approval given by the Mayor and City Council. In making recommendations for pay progression, the Department Head shall consider compliance with City policies and procedures, performance, level of competence and job knowledge.
 - 1. Minimum to Midpoint Progression: Upon completion of the orientation period and receiving regular status with a pay adjustment, employees shall be assigned a new annual performance review date. It is the objective of the City that employees acquire job skills that are considered full performance level within their job classification by the time they arrive at midpoint of the pay range of the job classification in which they are hired to perform. It is the responsibility of the department head to identify the essential skills, competence, and quality of work that will satisfy the "Full Performance" requirement. "Full Performance" is generally achieved when the employee can perform virtually all aspects of the position's essential functions without supervision and with minimal errors. Employees, in conjunction with Department Heads shall develop a performance plan based upon achieving full performance competence. Full performance (or journey level for trades and crafts) should be achievable in four to five years. Therefore, employees who progress at a normal rate may be recommended for an increase. Employees who progress more slowly may be passed over for increases. Employees who progress more rapidly may be recommended for an increase. Prior to the annual review date, the Department Head shall conduct a performance review and prepare a written recommendation to the Human Resource Department. Initiation of a request to increase pay lies solely within the discretion of the Department Head and is not a vested right of any employee. Such requests are normally considered annually in conjunction with the budget process but may be considered more frequently for the exceptional performer.

2. Midpoint to Maximum Progression: Compensation at the midpoint is considered market competitive. To be considered for increases beyond the midpoint, two conditions must be met: First, the employee must have completed five years of full-time employment with the City; and second, the employee must receive at least a standard rating on their annual performance evaluation. Each employee who meets this requirement may receive one an increase, up to the maximum of the pay range. Upon achieving the maximum, the employee shall still be eligible for any general increase or adjustment to the pay plan (i.e., market, COLA, etc.) and for consideration for performance incentives.
- G. Demotion: When it becomes necessary to demote an employee for their inability or unwillingness to perform the assigned duties and essential functions of their position; that employee may also suffer a loss of pay. The amount of the pay reduction shall be determined on a case-by-case basis.
- H. Termination/Separation Pay: When employees terminate, they shall be required to return all equipment and to clear all financial obligations involving their employment with the City prior to receiving their final paycheck. Any such obligation not cleared may be itemized and deducted from their final paycheck. Final paycheck, including compensation for all uncompensated hours worked, unused personal or annual leave and overtime will be issued on the next regularly scheduled pay period following termination. If a written request for final payment is received sooner by the Human Resource Department or designee, the final payment shall be issued within 24 hours from the date terminated. The Department Head, to aid the office of the Human Resource Department, will report the amount of termination pay to which the employee is entitled.
- I. Overtime: Overtime work is unavoidable and necessary from time to time; however, every effort should be made to keep the accumulation of overtime hours to a minimum. Any time worked over forty hours in any defined work week or work period by a non-exempt employee, which the Department Head or supervisor has approved, is aware of, or "suffered" to be worked, shall qualify as overtime. The following rules apply to the accumulation and compensation of overtime. For calculating overtime under the FLSA, the work week for all personnel shall begin at 12:00 a.m. on Sunday and end at 11:59 p.m. on the following Saturday. Rotating shift personnel may be assigned to work day-shifts, swing shift or other hours. A pay period consists of a semi-monthly period. The work day consists normally of a eight to ten-hour period, plus a sixty-minute (non-paid) lunch break
 1. Overtime shall be paid at the rate of time-and-one-half the regular rate of pay for all hours worked more than the forty-hour work week. The monetary

payments for overtime shall be issued on the regularly scheduled payday for the work period in which it was earned. Employee may take compensatory time with the approval of their supervisor. The City will manage overtime and compensatory time as best possible to mitigate the potential for creating unfunded liabilities.

2. Full Time Librarians: Because of their flexible schedule and extended hours available, full time librarians are not eligible for overtime, except when supervisor approves and assigns specific tasks outside normal library duties.

J. Compensatory Time ("Comp Time") and Flex Time:

1. Types:

- a. Flex Time: To accommodate employee events such as employee children's school programs, short medical provider appointments, etc., employees may make minor adjustments to their start/end time and/or lunch hour. For example, an employee may work through a lunch hour on a Monday and be able to attend an hour-long dental appointment the following Tuesday. Flex time is recorded 1:1, e.g., for every hour worked during flex time, the employee will earn one hour of flex time.
 - i. Flex hours must be approved in advance by employee supervisor and cannot adversely affect work operations.
 - ii. Flex time use must take place in the same pay period and be documented on an employee's time card but is not tracked in payroll software.
 - iii. Flex time should be used as the exception, not the rule.
- b. Involuntary Comp Time: When an employee is required to work overtime in order to maintain general or necessary operations of the City and chooses to bank the hours in the form of involuntary comp time in lieu of overtime pay. Involuntary Comp Time is recorded 1:1.5, e.g., for every hour worked during required overtime, the employee will earn one and one-half hour of comp time. Employee must make his or her elections of overtime pay or accrual of involuntary comp time during the pay period that the overtime is worked.

- c. Voluntary Comp Time: When an employee, with department head approval, voluntarily re-arranges his or her work schedule to accommodate the employee's personal schedule. Voluntary Comp Time is recorded 1:1, e.g., for every hour voluntarily worked by an employee beyond regularly scheduled work hours, the employee will earn one hour of comp time.
 - 2. Accrual: Involuntary or Voluntary Comp time may be accrued in lieu of overtime with department head approval. Comp time must be reported on time sheets and tracked through payroll software.
 - 3. Use of Comp Time:
 - a. Employees should use comp time within a reasonable time after accrual in a manner that would not disrupt the general operations of the City. A reasonable period will not exceed 6 months.
 - b. Comp Time shall be used before vacation time.
 - 4. An employee who has earned, accrued comp time shall, upon termination of employment, be paid for all unused comp time at the employee's current wage.
- K. On-Call/Call-Out Requirements: Public Works employees, at the discretion of the Public Works Director, will, as a condition of their position within the City be required to be on-call after hours on work days, weekends and holidays and will respond to emergencies, utility system malfunctions and other urgent situations. Two Public Works employees shall be on call at any time after hours with one employee responsible to respond first and is required to be within a 5-mile radius of the Delta City Yard; and a backup employee to additionally respond if necessary and is required to be within a 20-mile radius of the Delta City Yard. It is the responsibility of the two individuals on-call to communicate with one another regarding a call-out matter. Overtime compensation is paid at a minimum of 1 hour and will begin at the time of call-out. Double-time compensation will be paid if called-out on a City-recognized holiday.
- L. Callback. Any employee who has completed a work shift and has left the work premises and is then called back to work by an appropriate supervisor or designated representative, without advance notice or scheduling, shall receive a minimum of one (1) hour pay at the employee's overtime rate for the call. Each hour thereafter, on the same call, shall be compensated at the employee's overtime rate of pay. Callback time begins at the point of receipt of the call and continues until the required services are complete.

- M. Travel Time: When possible, travel to authorized, job related functions should be scheduled during normal work hours. Travel time required in fulfilling work assignments or in attending authorized training, workshops, seminars, conferences, and the like shall count as work time as follows:
1. Home to Work:
 - a. Ordinary-Travel to and from home to work is a normal incident of employment and is not work time.
 - b. Emergency-Travel time from home to work for emergency call-outs is counted as work time. The City will compensate use of personal vehicle during an emergency call-out at the standard IRS mileage reimbursement rate.
 2. Non-voluntary (Mandatory) Conferences, Training, Workshops, Seminars, Testing, etc.: Travel time and attendance at non-voluntary events, as required or requested by supervisor and/or department head, shall be counted as work time if it occurs during an employee's normal work hours. It will also count as work time if it occurs during an employee's normal day off.
 3. Voluntary Conferences, Training, Workshops, Seminars, Testing, etc.: Travel time and attendance at voluntary events shall count as work time if it occurs during an employee's normal work day and work time. Travel time to attend voluntary functions on an employee's normal day off shall not count as work time (i.e., for a traditional Monday through Thursday work schedule travel time on Fridays, Saturdays and Sundays is not counted as work time).
 4. Special Circumstances: Travel time arrangements for special circumstances not covered above shall be at the discretion of the Department Head.
- N. Pay advancement: The City will not make payroll advances to employees.
- O. Time/Records Keeping: Records for all pay purposes including, but not limited to regular time, overtime, compensatory time, vacation, personal leave time, sick leave and leave without pay will be maintained on fifteen-minute intervals and recorded with the Human Resource Department each pay period.
- P. Payroll Processing Schedule:

1. Pay Periods:

Period	Dates	Start Time	End Time	Deposit Day
1	1 st -15 th	12:00AM	11:59PM	20 th
2	16 th -31 st	12:00AM	11:59PM	5 th

- a. Time records, approved by Department Head, are due in the Human Resources Department by 5:00PM on the first work day following the period end date.
- b. If a payroll date falls on a Saturday it will be deposited on the Friday prior. If the payroll date falls on a Sunday, it will be deposited on the Monday after.
- c. The above dates are subject to change resulting from errors or mistakes, whether on the City's part, or financial institutions.

2. Electronic Deposit: It is the policy of the City that all employees pay is deposited electronically. Personnel may have their net payroll distributed to one or more accounts with financial institutions of their choice within the capabilities of our payroll software.

Q. Severance Pay: When it becomes necessary to separate an employee from employment with the City, and it is in the best interest of both the employee and the City to expedite such action; that employee may be issued severance pay as determined by the City Council. Employees separated for cause shall not be eligible for severance pay. Severance pay is in the unfettered discretion of the City Council.

R. Payroll Deductions/Withholdings: Employees may allow for withholding from their payroll disbursements for elective programs they may participate within besides the mandatory payroll withholding taxes required by Utah State and U.S. Federal law. It is the employee's responsibility to complete and remit the necessary forms so that the Human Resource Department can effectively modify the payroll system for supplemental voluntary withholding and subsequent withholding changes. As required by law, payroll tax withholding includes U.S. Federal Personal Income Tax, U.S. Federal Insurance Contributions Act (FICA): Old-Age, Survivors and Disability Insurance (OASDI) and Medicare, and Utah State Personal Income Tax. Authorized additional payroll withholding may include an employee's elective participation in benefit programs with entities not directly affiliated with the City for insurance products such as life, vision, dental, cancer, critical care, hospitalization and accidental death and disability insurances, etc. As well, employees can make additional deferrals for 401(k), 457, Roth and other investment products. The City may also be required under applicable local and federal law to garnish employee wages as directed.

- S. Workers' Compensation: All employees of the City, regardless of status, will be covered under a Workers' Compensation Insurance program.

SECTION VII-WORK HOURS

A. Normal Work Periods:

1. The normal office hours:
 - a. Normal public works and administrative office hours will be Monday-Thursday, 7AM-6PM.
 - b. Normal library hours will be Monday-Friday 10AM-7PM and Saturdays from 10AM-2PM.
2. The normal work week shall be forty hours.
3. The normal work day:
 - a. The normal work day for public works and administrative full-time employees shall be ten hours.
 - b. Full time librarians may be assigned by administration to work one of the following shifts:
 - i. Four ten-hour days on varying days Monday-Friday, within normal office hours and/or normal library hours.
 - ii. Five eight-hour days Monday-Friday, within normal office hours and/or normal library hours.
 - iii. Forty hours within the normal library Hours.
4. Various work and on-call schedules may be established by the Governing Body to assure twenty-four-hour emergency service to the public during non-business hours.

B. Attendance: All employees must report for duty at the appropriate Delta City facility or training location, or supervisor designated job site. For security, staffing, and customer support, employees are not allowed to work from home or any other off-site location. Employees unable to report for duty are unable to work.

C. Approved Leave & Overtime Eligibility: All "non-worked" paid days in any pay period, such as vacation, sick leave, administrative leave, emergency leave, etc., shall not be counted toward the calculation of hours worked for determining overtime hours under the Fair Labor Standards Act (FLSA).

D. Lunch Break: Employees will have one hour for lunch, which will be taken at a time determined by their Department Head in conjunction with the employee's work schedule or shift. The lunch break will be taken on the employee's time; therefore, it will not be compensated for by the City (classification and shift exceptions may occur, i.e., Operators).

- E. Rest Periods: All employees of the City will be allowed two fifteen-minute breaks during the normal work day. The location and time of breaks will be left to the discretion of the Department Head. Rest periods are a privilege therefore rest period abuse shall be subject to discipline.
- F. Absence Notice: An employee unable to report for duty on a work day shall notify the Department Head within a half hour from the regularly scheduled starting time. All other leave requires at least one day advance approval of the Department Head.
- G. Absences: Any absences including tardiness, during the work day or work week, must be specifically identified in a leave request form and approved by the Department Head. If not approved, the Department Head shall reprimand the employee as appropriate.
- H. Special Authorization: Specific departments authorized to implement a different daily schedule for its employees as needed to meet legal and administrative responsibilities for their work shifts are as follows:
 - 1. Fire Department
 - 2. Part Time Library Staff
 - 3. Public Works Department
 - 4. Crossing Guards

SECTION VIIIa – BENEFITS – Full Time Employees

- A. Group Health Insurance: All regular full-time employees and elected officials (single-coverage only at City cost), who work on a year-round basis of two-thousand-eighty hours per fiscal year, may participate in the City's group insurance plan which provides medical and dental insurance. The level of participation in the payment of premiums by the employee and the City is determined on a year-to-year basis at the discretion of the Governing Body.

According to the federal Consolidated Omnibus Budget Reconciliation Act (COBRA), after being employed for six consecutive months, an employee and his or her eligible dependents may have the right to continued health insurance coverage even after termination of employment with Delta City or loss of eligibility. Coverage is for a limited period of time and at employee's own expense. Details of the COBRA benefit will be provided to you upon termination of the eligible event.

- B. Life Insurance: The City may provide life insurance coverage for all permanent full-time employees as part of a total benefit program, which may include term-life insurance and would be provided to each employee and dependents under an employee and family benefits clause of the term life insurance program. Additional life insurance can be taken out by an employee at any time under the provisions of the insurer and premiums paid through payroll deduction. Employees are required to contact the insurance company directly concerning any question on coverage, claims, dividends or other policy matters.
- C. Retirement: In addition to participation in the U.S. Federal (FICA) and State of Utah Retirement Systems (the City pays the maximum of State retirement costs allowed by State Statute); programs designed to encourage career interests with the City may be established by the Governing Body. Such retirement programs may utilize insurance policies, annuities, flexible compensation plans, IRA's, or the establishment of other qualified pension plans (either contributory or noncontributory). The amount or level of the City contributions shall be established from year-to-year and shall comply with the non-discriminatory requirements of federal regulations governing the establishment of benefit programs. For specific details related to the Utah State Retirement Systems (URS), seek assistance from the Human Resource Department or the URS office.
- D. Unemployment Insurance: The City participates in the Utah State Department of Workforce Services Unemployment Insurance Program and each person that terminates will be eligible for unemployment benefits in accordance with the rules and provisions as provided by the State. Employees terminated for cause shall not be eligible for unemployment benefits from the City.

E. Annual Leave (Vacation Time):

1. Annual leave will accrue during an employee's introductory period but may not be used during the first three months. Employees who terminate or are terminated within the first six months shall not be compensated for accumulated annual leave.
2. All regular full-time employees (working forty hours per week) will accrue annual leave as follows:

Years of Service	Annual Leave Time Earned
End of Probation-01	Prorated at 3.3333 Hours per Month
01	40 Hours per year (3.3333 Hours per Month)
02-05	80 Hours per Year (6.6667 Hours per Month)
06-10	120 Hours per Year (10.0000 Hours per Month)
11-14	140 Hours per Year (11.6667 Hours per Month)
15+	160 Hours per Year (13.3333 Hours per Month)

3. Annual leave is intended to benefit the employee, and employees are encouraged to take annual leave in the year in which it is earned. Unused annual leave may be carried over from year to year, except that the maximum amount carried from year to year shall not exceed one hundred twenty hours. All unused hours more than the one hundred twenty hours at the end of any fiscal year shall be forfeited, unless for no fault of the employees, scheduling conflicts, emergencies or other circumstances prevented the utilization of such leave as approved by the supervisor.
4. Annual leave will be scheduled to meet the operating requirements of the City. Seniority and/or earliest request shall be the basis for resolving conflicts, should conflicts occur. Management can deny leave requests when scheduling considerations cannot be met.
5. An authorized holiday shall not constitute a day of annual leave. When an authorized holiday falls within the time of an employee's annual leave, the employee will not be charged annual leave for that day.
6. Employees who terminate employment shall be paid for all unused annual leave accrued to their credit, up to a maximum of two-hundred hours. Otherwise, the City shall not make cash payments in lieu of vacation.

Annual leave will be prorated back in quarterly increments when Employees terminates employment part way through the year.

7. Annual leave does not accrue during leaves of absence without pay but shall accrue during holidays and sick leave.
 8. Annual leave should generally be requested at least twenty-four hours in advance. Employees requesting leave should use appropriate documentation to assure timely consideration of the request and assure proper scheduling.
- F. Sick Leave: Sick leave is provided from the date of appointment of a probationary employee at the appropriate number of hours per month as insurance against loss of income when the employee is unable to perform his/her work because of the illness or injury of the employee or for the emergency care of ill or injured dependents of the employee. Discretion must be used in approving sick leave, while at the same time, insisting that sick persons utilize the program to recover and prevent the spread of illness in the workplace. Abuse of the sick leave privilege shall constitute grounds for disciplinary action.
1. Accrual & Conversion: Each regular full-time employee shall accrue sick leave at the rate of five hours per month worked. All unused sick leave shall continue to accrue to a maximum of 600 hours. As an incentive to employees who do not utilize sick leave, after thirty sick leave days have been accumulated, an employee has the option of converting additional sick leave to annual leave at the rate of two (2) sick days to one (1) annual leave day. In addition, upon retirement, the employee shall receive a monetary award equal to 50% of all unused sick leave.
 2. Unused accrued hours will be reinstated should a former employee resume employment with the City if in a regular full-time position.
 3. Sick leave shall not be advanced to employees but may be taken as it is credited to their account. Any sick leave that exceeds (4) four successive working days shall be supported by a medical certificate. When excessive sick leave is being taken, a doctor's diagnosis or other evidences of illness may be required for absences of less than four days as determined by the Human Resource Department.
 4. For sick leave granted to an employee for a period of disability that is compensable under provisions of the Workers Compensation Act, regular payroll paid to the employee shall be reduced by the amount received or eligible to be received from the worker's compensation fund. The intent of this policy is that the employee shall not suffer a reduction in normal compensation; neither shall the employee receive financial gain through a work-related mishap. During the period after sick leave is exhausted other leave may be utilized, i.e., first, any unused compensatory time, then

annual leave and finally, leave without pay after all other leave has been exhausted.

5. New employees may use accrued sick leave during the first six months of employment.
6. Employees who have given notice of termination will not be granted sick leave during their last pay period without a doctor's certificate.
7. Sick leave shall accrue while employees are on regular annual leave. Authorized holidays which fall on a regular working day within a period when sick leave is being used shall not be charged as a day of sick leave. Sick leave shall not accrue during time spent on leave of absence without pay, or on annual leave immediately preceding either leave of absence without pay or termination.
8. Any sick leave hours used for a Workers' compensation claim may be added back to the sick leave bank for the employee at the beginning of the next benefit year
9. Sick leave may be used for personal injury, illness or in the case of the illness or injury of a dependent or other member of the immediate family upon approval of the Department Head.
10. All medical and dental appointments should be scheduled during off-duty time as much as possible.

G. Light Duty Status: Employees that are recommended by a medical doctor to only be involved in "light duty" activity shall be assigned work in accordance with a light duty operations and functions as defined by the City. Light duty assignments will be temporary and short-term in nature, usually not exceeding thirty work days. Each case will be reviewed independently and will only be extended for extenuating circumstances. Light duty assignments over thirty days must be approved by the Governing Body. If accommodations cannot be made without undue hardship to the City, the employee may be demoted to a lesser position, terminated; or the employee may apply for short-term disability.

H. Short-Term Disability: An employee will be eligible for a benefit up to 800 hours of short-term disability, paid at up to a maximum of 85% of their regular pay, according to the chart below. All other employee benefits, such as insurance benefits, retirement contributions, etc. shall remain unchanged during the period that an employee is receiving short-term disability benefits.

Years of Service, as of hire date	Hours Paid at			
	85%	60%	40%	Total

2	40	40	40	120
3	60	60	40	160
4	80	60	40	180
5-9	400	200	200	800
10-14	600	200	-----	800
15 and over	800	-----	-----	800

1. Employees will be required to make application to and seek approval of the Governing Body to use Short-Term Disability.
2. Years in the above chart are determined by the anniversary date of fulltime employment, *e.g.*, on day 366 employment, an employee has available 120 hours of short-term disability to be paid pursuant to this section.
3. During years of service 2-4, any unused hours may be carried over into subsequent years, *e.g.*, if an employee does not use any short-term disability in year two, in year three, the employee will have available a total of 340 hours of short-term disability that will be paid pursuant to the chart above.
4. After 5 years of service, short-term disability hours no longer carry over, and all unused short-term disability hours are forfeited. Instead, Short-Term Disability hours are accrued pursuant to the above chart on year 5, 10, and 15 of employment.
5. Short-Term Disability is only available after all other available leave time, such a sick leave and vacation hours, have been exhausted. Use of Short-Term Disability benefits begin following, Council approval, and the depletions of an employee's all other available leave time.
6. Integrated Benefits. Short-term disability benefits are reduced by any benefits an employee receive from any source such as, other employment (at any leave, such as part-time), Social Security, Workers' Compensation, or similar programs. Employees must notify Delta City if an employee may qualify for any such benefits. Delta City may offset any future short-term benefits for which an employee may be eligible should an employee fail to provide notification of an employee's eligibility for any such benefits.
7. Verification. Delta City may require a medical statement, documentation, or other proof from employee or employee's treating physician verifying the illness or injury and employee's eligibility for short-term benefits. Any employee who is absent from work and receiving short-term disability

benefits for more than 10 consecutive working days, and for every ten working days thereafter, must submit proof satisfactory to Delta City of their entitlement to short-term disability benefits.

8. Employees are expected to use short-term disability hours only when they are legitimately ill or injured. Any other use, except as may be required by federal or state law, will result in disciplinary procedures.
9. After an employee, due to illness or injury, that has exhausted his or her short-term benefits may be subject to disciplinary procedures unless continued absenteeism is approved by Governing Body. Any continued absenteeism shall be without pay and continued employment after short-term disability benefits is should be considered an exception to the rule that employment will be terminated at should short-term disability be exhausted and an employee is unable to return to regular work duties.
- I. Long-Term Disability: PEHP Long-Term Disability (LTD) is employee's safety net should he or she become disabled and unable to work. This important benefit is available at no cost to you. To apply, call 801-366-7583 or 800-365-7347. Please note this benefit is not available to all members. Check with Human Resources Department to see which benefits apply.
- J. Donation of Leave: In cases of serious or prolonged illness or other similar exceptional and unfortunate circumstances besetting an employee of the City, the City may allow donation of sick leave or annual leave by employees on behalf of the affected fellow employee. Such donations will only be allowed for specific cases. Donations will be certified in writing by donating employees on a form provided by the City and shall be non-retractable. The hours donated shall be deducted from the accrued sick leave over 300 hours or annual leave record of the donating employee and added to the sick leave of the benefiting employee. All donations shall be voluntary. The City, Department Heads, and employees shall not employ, to any degree, any method of coercion or make any threat of consequence to any employee's position or employment status because of an employee's decision to donate or not donate sick leave or annual leave to another employee. To the extent practicable, donations shall be kept anonymous by the City. Short-term disability benefits may not be donated.
- K. Holiday Leave: The City recognized the following as paid holidays:
 1. Full day Holidays:

New Year's Day	January 1
Martin Luther King, Jr., Day	3rd Monday in January
President's Day	3rd Monday in February
Memorial Day	Last Monday in May

Independence Day	July 4
Pioneer Day	July 24
Labor Day	1st Monday in September
Columbus Day	2nd Monday in October
Veterans Day	November 11 th
Thanksgiving Day	4th Thursday in November
Christmas Day	December 25 th

2. Half day holidays, beginning at noon:

Thanksgiving Eve	4 th Wednesday in November
Christmas Eve	December 24 th
New Year's Eve	December 31 st
3. When a full day holiday falls on Friday or Saturday and is on the employee's regular day off, the previous regularly scheduled work day shall be observed as the holiday. When a full day holiday falls on a Sunday and is on the employee's regular day off, the following or next regularly scheduled work day shall be observed as the holiday. All holidays will be taken off per the designated calendar date. Half day holidays are not recognized if they fall on a Friday, Saturday, or Sunday.
4. Regular benefited employees required to work on a designated holiday shall be awarded "holiday pay" or "double time". Such holiday pay will be a monetary payment made as part of the payroll for the pay period in which the holiday falls.

L. Personal Preference Hours or "Floating Holidays": Employees will be allowed twenty hours of holiday time from work at any time during each fiscal year in addition to all other designated holidays as personal preference hours. It may be used at any time but must be calendared with the employee's Department Head far enough in advance to allow for proper shift scheduling. New employees are not eligible to take a personal preference day during the first three months of employment.

M. Court or Jury Leave:

1. An employee who, in obedience to a subpoena or direction by proper authority, appears as a witness for the U.S. Federal Government, State of Utah, or a political subdivision thereof or the City, or called as a juror shall be entitled to leave with pay. However, the regular court compensation fees shall be signed over to the City.
2. Absence because of subpoena in private litigation or by a party other than the U.S. Federal Government, State of Utah, or a political subdivision thereof, to testify not in an official capacity, but as an individual, shall be

taken as annual leave or as leave without pay, with appropriate clearance from the Department Head.

N. Funeral Leave:

1. When a death occurs within the "immediate" family, employees may be granted a maximum of 30 hours administrative leave with pay. This time is provided to support the family in the appropriate manner. Employees desiring extended funeral leave may be required to use comp time, annual leave or leave without pay, if extended leave is granted.
2. "Immediate family" means a spouse, child, step-child, parent, brother, sister, grandparent, spouse's grandparent, grandchild, father-in-law, mother-in-law, brother-in-law, sister-in-law, daughter-in-law and son-in-law. For other family relations and friends comp time, annual leave, or leave without pay may be taken when agreed upon by the Department Head.
3. Employees having to travel more than two-hundred miles to attend the funeral service of an immediate family member may be granted an additional two days of paid leave with the approval of the Department Head. All such leave shall not be charged to annual or sick leave accrual.
4. Documentation may be required by Department Head.

O. Administrative Leave: In the case of a special hardship, or other cases not provided for in these policies, the Department Head may grant short-term leaves at full or partial pay, or without pay for up to sixty minutes per occurrence without being charged the absence to sick leave or vacation leave. The denial of such requests is at the discretion of the Department Head and are not subject to appeal. Examples of such leaves include, but are not limited to:

1. Absence to arrange medical care for a member of the employee's immediate family; where sick leave is exhausted.
2. Absence for personal business which cannot be handled during the off-duty hours.
3. Weather conditions making it impossible to reach regular work locations.

P. Military Leave: Military Leave shall be granted in accordance with Utah Code Ann. § 39-3-2(2), as amended, if applicable.

- Q. Paternity Leave: Paternity leave is the time a father takes off work at the birth or adoption of a child. Employees requesting leave for the birth of or adoption of children may be granted a maximum of three days of administrative leave with pay. Employees desiring extended paternity leave may be required to use comp time, annual leave or leave without pay, if extended leave is granted.
- R. Family Leave: Family leave is time a grandparent takes off work at the birth or adoption of a grand-child. Employees requesting leave for the birth of grandchildren will be granted up to one day of administrative leave with pay. If additional days are required because of travel distance, serious illness or complications, approval must be obtained from the department head and vacation or sick time may be used.
- S. Pregnancy Light-Duty:
1. It is the purpose of this policy to establish guidelines relating to Temporary Light Duty for full and part-time employees during pregnancy.

It is the purpose of Delta City to provide equal employment opportunities to employees and to comply with the Pregnancy Discrimination Act.
 2. It is the policy of Delta City to provide pregnant employees an opportunity to continue to participate in the work force during pregnancy, when possible. Pregnant employees who are able to work are permitted to do so on the same conditions as other employees if they are able to fully perform their regularly assigned job duties. This policy is to implement the provision of a Temporary Alternate Light Duty assignment for pregnant employees who cannot perform their regularly assigned job duties during pregnancy. The pregnant employee's acceptance of a light duty assignment will not result in reduced pay or benefits.
 3. Reporting and Processing Pregnancy
 - a. If an employee becomes pregnant and she has physical limitations that prohibit her from performing the functions of her regularly assigned position, she shall notify, or cause to be notified, her Supervisor and Human Resource Department.
 - b. To notify Delta City, the employee must submit a Medical Release-Pregnancy Form signed by her medical care provider that verifies she is pregnant, identifies any physical restrictions to apply during the light duty assignment, and states how long the restrictions apply.
 - c. The employee is responsible, with the advice of her medical care provider, to determine how long she will continue working in her

regularly assigned position. An employee is not required to accept a light duty assignment. The employee may request light duty at any time during her pregnancy based on the advice of her medical care provider.

4. Procedure

- a. Once Delta City has knowledge the employee is pregnant, and the employee has requested light duty, she will be eligible for consideration for a light duty assignment. Delta City is under no obligation to create or design a job or assignment specifically for such light duty but will allow a pregnant employee who cannot perform the physical duties of her assigned position to fill a light duty position to the extent one is available. Light duty assignments may be either in the employee's own department or elsewhere in the City, depending on availability. The light duty assignment shall comply with the physical restrictions imposed by the employee's medical care provider.
- b. The employee can remain in a light duty position until she is physically unable to perform her light duty assignment or until she can return to her regularly assigned position as certified by her medical care provider. Light duty assignments are temporary and are intended to last only for the duration of the pregnancy and only to the extent there are physical limitations due to the pregnancy that would cause the employee to be unable to continue working in her regular assignment.
- c. FMLA, sick, and vacation leave:
Once the employee is unable to perform her light duty assignment, she may be granted leave in accordance with the procedures set forth in the City's FMLA policy. Nothing herein shall be construed to limit an employee's use of FMLA leave at any time of the pregnancy pursuant to the City's FMLA policy.

5. Training

While on light duty status, the employee will participate in department-level training classes in her regularly assigned department that other employees are undergoing, as long as the training classes do not pose any risk to the employee.

6. Return to Regular Assignment

- a. In order to return to her regularly assigned job duties prior to the birth of the child, an employee must submit a Medical Release Form, signed by the employee's medical care provider, indicating the employee is released to full duty, with no restrictions.

- b. The employee's return to work following the birth of the child will be to their regularly assigned job duties.

T. Family and Medical Leave Act:

- 1. The City is committed to compliance with the Family and Medical Leave Act of 1993 (the "FMLA"), meaning that the City will grant eligible employees leave under the FMLA for up to 12 months during any 12-month period.

SECTION VIIIb – BENEFITS – Permanent Part Time Employees

Annual Leave:

1. Annual leave will accrue after the employee has earned and is maintaining permanent part time status.
2. Annual Leave will accrue for all permanent part time employees working a minimum annual average of 17 hours per week as follows:

Years of Service	Annual Leave Time Earned
02-09	20 Hours per Year (1.666 Hours per Month)
10+	40 Hours per Year (3.333 Hours per Month)

3. Annual leave is intended to benefit the employee, and employees are encouraged to take annual leave in the year in which it is earned. Unused annual leave may be carried over from year to year, except that the maximum amount carried from year to year shall not exceed sixty hours. All unused hours more than sixty at the end of any fiscal year shall be forfeited, unless for no fault of the employees, scheduling conflicts, emergencies or other circumstances prevented the utilization of such leave.
4. Annual leave will be scheduled to meet the operating requirements of the City. Seniority and/or earliest request shall be the basis for resolving conflicts, should conflicts occur. Management can deny leave requests when scheduling considerations cannot be met.
5. Employees who terminate employment shall be paid for all unused annual leave accrued to their credit, up to a maximum of one-hundred hours. Otherwise, the City shall not make cash payments in lieu of annual leave.
6. Annual leave will be prorated back in quarterly increments when Employees terminates employment part way through the year.
7. Annual leave does not accrue during leaves of absence without pay.
8. Annual Leave should generally be requested at least twenty-four hours in advance. Employees requesting leave should use appropriate documentation to assure timely consideration of the request and assure proper scheduling.

SECTION IX-EMPLOYEE CONDUCT

- A. Staff Conduct: The measure of City government is, to some extent, based on the effectiveness and personal contact of its employees with the general public. It is expected that all employees will avoid conduct at work or elsewhere that might cause embarrassment to, or criticism of the City. Often times, the City employee is the only contact a private citizen has with our municipal government, and although the citizen may not always be right, he/she does have an active interest in the City and in its government. Therefore, it is essential the attitudes and actions of the employees of the City, both on and off duty, bring credit to the City. Good public relations can best be created by the simple process of being helpful, courteous and treating people in the same manner in which the employee would like to be treated.

It is also important to the public relations of the city that each municipal employee be neat, clean, and impressive in appearance and respectable in his/her use of language.

- B. Personal Hygiene, Grooming, and Appearance:

1. A clean, neat appearance indicates personal pride and a professional attitude. Delta City expects its employees to maintain appearance and grooming standards appropriate to a professional work environment. Attire must be neat, clean, well-kept and appropriate for the job. Neat, clean, and impressive in appearance and respectable in his/her use of language.
2. Personal hygiene is important to protect health and safety, and to maintain a favorable impression of the City. The City reserves the right to require and acceptable level of personal hygiene.
3. Dress Policy:
 - a. Administrative dress policy:
 - i. Employee clothing should be free of holes or tears from wear, and should be clean, pressed and stain-free. Tops should have a conservative neckline with no open backs or bare midriffs.
 - ii. Shorts are permitted, but they must be in good taste and not be ragged or torn. Cut-off jeans are not permitted unless they have a proper sewn hem. Shorts must have at least a 5" inseam and skirts no more than 3" above the knee, each with a modest style.
 - iii. Long pants of both jeans and slacks are acceptable if they are properly worn around the waist and are not of an

oversized style in appearance.

- b. Stricter dress policies may vary by department because of safety or sanitation concerns. For example, scarves, neckties, jewelry, loose fitting sleeves and long coats may be prohibited for safety reasons. Some employees, such as public works personnel, are assigned uniforms. If assigned a uniform, keep it neat and clean and wear it while on duty.
 - c. Employees who appear for work dressed will be sent home by Department Head and directed to return to work in proper attire. Under such circumstances, employees will not be compensated for the time away from work.
- 4. Makeup is to be applied modestly and conservatively. So-called "permanent makeup," which includes tattoos used as permanent eyebrows or eyeliner, is allowed under the same guidelines.
 - 5. Jewelry worn while working should be conservative and not distract from the professional image that the City desires to impart to the public.
 - 6. Body piercings, other than in the ear, must be covered from public view. Ear piercings above 16-gauge are unacceptable.
 - 7. While representing Delta City visible tattoos, body art, and/or brands that are obscene, indecent, sexually explicit based on the ESRB 'E' rating and/or advocate discrimination based on sex, race, religion, ethnicity, or national origin are not allowed. Tattoos, body art, and/or brands that symbolize affiliation with gangs, supremacist or extremist groups, or advocate illegal drug use are prohibited.
 - a. While on regular duty, visible tattoos, body art, and/or brands are not allowed on employee's:
 - head
 - face
 - b. While on regular duty, visible tattoos, body art, and/or brands are allowed:
 - 1 visible tattoo or brand is allowed, on neck, including behind the ear, if it does not exceed 1 inch in length or height in either or both directions.
 - 1 visible tattoo or brand is allowed on the arm, wrist or hand, if it does not exceed 1 inch in length or height in either or both directions. One ring tattoo or brand, per hand, does not count towards the 1 tattoo on the arm, wrist or hand, if they do not extend where a ring would naturally rest on your finger (between the lowest knuckle and your hand).
 - 1 visible tattoo or brand is allowed from the thigh down, if it can be covered by the individuals hand.

C. Protected Information:

1. Personal Information: Delta City collects sensitive personal information in its daily function.
 - a. Delta City employees shall keep all protected information confidential.
 - b. Employees may not use protected information for their personal gain.
 - c. Employees are not allowed to access or remove protected information from outside the City Office.
2. Keys, Passwords, Access Codes: All keys, codes or other solutions to enter Delta City property shall be kept securely and out of the hands of non-employees. Employees may not allow non-employees use of their access keys, codes etc. to access Delta City property on their behalf or otherwise.

D. Public Relations: The very nature of governmental business makes relations one of the most important aspects of the job. The quality of our interpersonal interactions impacts all employees of the City and the public perception of the City. Employees are to take every opportunity through the course of performing in the job to create "good will" with the public. Employees are required to be courteous and show understanding despite the difficulty of situations that may arise. Reports of a negative nature will be investigated by Department Heads and disciplinary actions could result. Regarding a variety of legal responsibilities, confidential and ethical constraints under which the City functions; specific guidelines affecting newspaper, radio and television, and related media shall be as follows:

Only the assigned public information officer or their designee, the City's Legal Counsel and Mayor may respond to media inquiries.

E. Electronic Communications and Media Use:

1. It is the policy of the City to provide or contract for the communications services and equipment necessary to promote the efficient conduct of its business.
2. All City communications services and equipment, including the messages transmitted or stored by them, are the sole property of the City. The City may access and monitor these communications and files, as it considers appropriate.
3. Online City accounts may be accessed only by employees specifically authorized by the City. Upon request, authorized employees must disclose all passwords to their Department Head.
4. Employees should not use e-mail, facsimiles, or any other insecure communication system to communicate confidential information.

5. Improper use of City communications services and equipment will result in discipline, up to and including termination. Improper use includes any misuse as described in this policy as well as any harassing, offensive, demeaning, insulting, defaming, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages. Unsolicited and unintentional access or transmission to unauthorized information, material, or internet sites does not cause a violation of this policy.
 6. Internet traffic and incoming email transmissions for the City's computer network servers, individual workstations, notebook and tablet computers are pre-filtered and screened for viruses and other malicious code, etc. Employees may use their City computers to access their personal email accounts and other internet locations, so long as they exercise sound judgment regarding the websites they visit. Employees may use these types of City assets and services during their work breaks, lunch hour or at other times during the work day if it is expeditiously done, resolved and the quantity and quality of one's work productivity is not impacted.
 7. Employees should not duplicate or download from the Internet or from an e-mail any software or materials that are copyrighted, patented, trademarked, or otherwise identified as intellectual property without express permission from the owner of the material. When appropriate Internet material or e-mail files are downloaded, they should be scanned using the City's antivirus software.
- F. Supplies, Tools, Equipment and Vehicles: All employees are charged with the responsibility of maintaining the City's property in the best possible condition and making the most economical use of supplies issued to them.
- G. Telephone Use:
1. City telephones are for conducting City business. If you need to use the telephone for personal reasons, please use good judgment in limiting the length and frequency of such calls. Do not make long distance personal calls on City phones that would result in additional charges to the City.
 2. Non-City cell phone use should be kept to a minimum and should not interfere with department function.
- H. Dangerous Weapons:
1. Except as authorized by law, an employee may not possess any dangerous weapon or firearm.

2. However, this prohibition does not apply if:
 - a. The employee is authorized to possess a dangerous weapon as provided under Utah Code Ann. §§ 53-5-701 *et seq.* (concealed weapons permits), 76-10-523 (exceptions to weapons laws), or as otherwise authorized by law.
 - b. Dangerous weapons must remain on the employee's person and not stored, covered, or hidden on or with City Property, unless: The employee has received from the Governing Body written permission and allocation of City funds for the purchase of a gun safe (the quality and costs of which must also be approved by the Governing Body) that will be appropriately anchored and attached to City Property to ensure that the dangerous weapon will only be accessible to the employee which received the written approval. The Governing Body shall not provide approval for more than one dangerous weapon per employee.
 - c. Should an employee choose to carry a concealed weapon in accordance with his/her right to do so under Utah Code Ann. § 53-5-704, the employee's decision to carry, use or threaten the use of a dangerous weapon is outside of the scope of the employee's employment. Any and all demands, liabilities, claims, damages, actions, or proceedings in law or equity, including attorney's fees and costs of suit, relating to or arising out of an employee's decision to carry, use or threaten the use of a weapon will be the sole responsibility of the employee without recourse to or liability protection from the City.
 - d. Any violation of state law with regards to firearms or other dangerous weapons subjects the employee to disciplinary action, including termination, as provided by current district policy.
- I. Purchases: No purchase shall be made by City for personal use by any employee, except where otherwise provided for under special agreements or contracts.

SECTION X-REIMBURSEMENT/COVERED EXPENSES

- A. Travel: Travel expenses associated with authorized trips on the City business, for attendance at conventions, conferences, field trips, educational courses or meetings etc., will be paid by the City. Generally, such expenses will be paid in advance through registrations, reservations or other formal procedures. Actual costs for materials required for the seminar, training courses, etc., will be paid for or reimbursed by the City. The employee will provide receipts/ledger of expenses to the City upon completion of the trip, but not later than one week after return to normal duties. When considering the mode of travel, car versus airline, that option which creates the greatest advantage to fulfilling the needs of the City shall be utilized. A report will also be provided to the City containing information received from the meetings attended during the trip. This will be provided within two weeks after returning to normal duties. An employee may be accompanied by a spouse or family member on approved City business trips with the understanding that the City will not pay any of the costs incurred by the spouse or be responsible for any liability associated therewith. All absences from work to attend various meetings, training, seminars, conventions, etc. must be approved by the Department Head prior to attendance.
- B. Transportation and Mileage Rates: Reimbursement rate for a personal vehicle used for approved travel shall be at the federally approved rate as determined by the federal standard. Travel distances will be calculated using an internet-based mapping service such as Google Maps, MapQuest, etc., so long as the most direct route is claimed if met with approval of the Department Head. Reimbursement for public transportation, when necessary, will equal actual cost of fares.
- C. Per Diem: Meal reimbursement is subject to the maximum per diem meal allowance as set by federal standard. However, no per diem meal allowance should be claimed for meals provided at the training.
- D. Professional Organizations: Delta City encourages employees to participate in any professional and technical organizations that may help aid in job development and provide professional contacts that may also benefit the City. In some cases, the City may pay membership costs to belong to these organizations. Any payment must be approved in advance by employee supervisor or Department Head.
- E. Continuing Education and Certification Testing: Continuing education in the field of employment in which the employee is working is desirable and may be a condition of such employment. The Governing Body may stipulate specific schooling as a condition of continued employment. This stipulation must be in

writing and signed by the Department Head, after approval by Mayor and Council, and employee at the time of hiring. The written statement shall specify the exact type and amount of education required as well as payment responsibilities and City or employee time for training

Many positions in the City require specified levels of certification in accordance with the State Certification Council program. The certification program includes testing and continuing education requirements. Reimbursement by the City for certification testing will follow the guidelines described hereafter. Costs for continuing education including courses, workshops, seminars, conferences, exam study/review sessions and the like where continuing education units (CEU's) are available will be reimbursed by the City when approved by the employee's Department Head.

When an employee desires or is directed in writing by his Department Head to take the State Certification Examination (e.g., water or sewer collection system personnel) the following guidelines shall be adhered to for each certification grade:

1. 1st Exam and 2nd Exam: The City will pay the cost for the exam, including exam registration fee, mileage expense, travel time (as defined in these policies), and normal work time (as administrative leave).
2. If an employee does not receive a passing grade on an exam the first and second time, all costs associated with retaking the course/exam, including the cost of the exam, travel expenses, etc. will be borne by the employee and are not subject to reimbursement by the City. The employee must take the exam on his or her own time. When the employee receives a passing score, the pay incentive (if applicable) can be authorized.
3. When an employee voluntarily desires to increase their level of certification beyond requirements of current position, the costs for the first exam may be reimbursed upon department heads authorization. No reimbursement will be made for any exam retakes in such voluntary cases.

SECTION XI - OUTSIDE EMPLOYMENT/POLITICAL ACTIVITY/VOLUNTEERISM

- A. Outside Employment: No employee may engage in additional employment which in any manner interferes with the proper and effective performance of official duties, or which results in conflicts of interest. Outside employment must be approved by the Department Head and Mayor or City Council. All requests will be considered on a case-by-case basis. The decision of the Department Head and Mayor or City Council shall be final and not subject to appeal or grievance. The City shall not be held liable to grant sick leave in any cases of injury to an employee while that employee is engaged in outside employment.
- B. Political Activity:
1. No person shall be denied the opportunity to become an applicant for a position by virtue of political opinion or affiliation.
 2. No person employed by the City may be dismissed from service because of political opinion or affiliation.
 3. An employee may voluntarily contribute funds to political groups and become a candidate for public office as long as it does not create a material conflict of interest. The intent of this provision is to allow the individual freedom of political expression, and to allow employees to serve as voting City officers and as State or city delegates without jeopardizing public programs for which they are responsible.
 4. A regular employee wishing to seek election to an elected position for Delta City shall resign from City employment or take a leave of absence without pay upon approval by the Governing Body no later than the day before the day the employee begins their term of office. An employee who runs for office and is defeated in election is entitled to continue employment without interruption.
 5. No employee, whether elected or appointed to the City, may directly or indirectly coerce, command, advise or solicit any officer or employee covered under the personnel system to pay, lend, or contribute part of his or her salary or compensation or anything else of value to any party, committee, organization, agency or person for political purposes. No City Board or Commission Member or employee, whether elected or appointed to the City, may attempt to make any officer's or employee's employment status dependent upon the employee's support or lack of support for any political party, committee, organization, agency, or person engaged in a political activity.

D. Emergency Response Personnel:

Employees of Delta City serving as Emergency Response Personnel (ambulance, fire, search and rescue, etc.) may be asked to be "on call" during regular scheduled work hours and are allowed to go on calls as long as it does not disrupt the function of the department.

1. Calls under 60 minutes will not be counted towards leave.
2. Active emergency calls within Delta City limits will not count towards leave.
3. Employees may serve up to 10 hours per year that do not count towards leave.
4. If employees are called out of work for service as Emergency Response Personnel during regular work hours, they may select one or a combination of the following:
 - Loss of Salary
 - Use of sick, vacation time or personal leave
 - Make up time missed by working extra hours if approved by their immediate supervisor.

E. Volunteerism:

Employees of Delta City wishing to serve as a volunteer for local publicly funded organizations may do so with Mayor or Council approval and as long as it does not disrupt the function of the department, for up to 10 hours per year.

F. Appeals:

The decision of the Department Head and Governing Body in relation to this Section XI shall be final and not subject to appeal or grievance.

SECTION XII - SEXUAL HARASSMENT

Sexual harassment is defined as unwanted conduct or communication of a sexual nature which adversely affects a person's employment relationship or working environment. The forms of illegal conduct include (but are not limited to) the act of, request for, or threat of sexual relations or bodily contact. Examples of which are pinching, grabbing, patting, propositioning, job threats or promises, inappropriate comments on appearance, embarrassing stories, pornographic material, assaults on the job by management, fellow employees, non-employees, or any other repeated words or actions which are sexually offensive, intimidating, hostile, degrading or demeaning to another person. To qualify as sexual harassment the conduct must normally have a negative effect on the person's job, wages, chances for advancement, work duties, work environment, tenure or conditions of employment.

1. It is the policy of the City that employees and job applicants are entitled to a workplace or recruitment process that is free from sexual harassment. Sexual harassment is an unlawful activity that violates personnel principles and is prohibited as a form of sex discrimination under Title VII of the Civil Rights Act. Any employee, Manager or non-Manager, male or female, who engages in such activity shall be subject to disciplinary action which may include reprimand, suspension, demotion, or dismissal. It is not intended that this policy be construed as intent on the part of the City to regulate social interactions or relationships freely entered by employees. The position of the City regarding sexual harassment is defined as "zero tolerance". Any employee of the City found guilty of sexual harassment shall be immediately terminated and lose all privileges normally afforded to employees leaving the City in good standing.
2. Prevention is the best tool for the avoidance or elimination of sexual harassment. The City will take all steps necessary to prevent such harassment from occurring and will take appropriate action when it is found to have taken place. Employees who feel they are or have been, or someone else is or has been, a victim of sexual harassment are encouraged to select a procedure in seeking a remedy which is comfortable: (a) filing complaint with the Department Head; (b) filing complaint directly with the Governing Body; or c) following established grievance procedures. The written complaint or allegation shall contain details regarding dates, times, places, and circumstances surrounding the incident(s), and witness signatures when possible.
3. Any employee who becomes aware of the occurrence of sexual harassment will report the matter through the most confidential and direct means possible to preserve morale and discipline among employees by: (a) making a statement of known facts in writing to an appropriate authority and; (b) avoiding discussing the

matter with co-workers and persons not directly responsible for investigating the matter.

4. Investigation Procedure: The authority receiving the complaint shall take or direct that immediate action be taken by: (a) obtaining a written statement from complainant; (b) discussing the matter with alleged offender; and (c) obtaining statements from all possible witnesses from both sides of the issue; (d) placing the accused individual on administrative leave with pay, pending the outcome of an investigation if the initial indications from witnesses point towards guilt. Upon completion, an investigation report shall be submitted to the Human Resource Department or Governing Body as appropriate. Failure by any employee to wholly and honestly cooperate with any investigation procedure shall be grounds Disciplinary Action, up to and including immediate suspension or termination.
5. Action and Resolution: Based upon the report, steps shall be taken for immediate and appropriate action for determining whether alleged conduct constitutes sexual harassment. The Human Resource Department or Governing Body will examine the record and the totality of the circumstances, such as the nature of the sexual advances and the context in which the alleged incidents occurred. The determination of the legality of an action will be made from the facts, on a case-by-case basis, and may involve special legal counsel. If there appears to be no foundation to the allegation, other than the complaint: (a) no record shall be made of the allegation in either the alleged offender's or informant's (complainant's) personnel file; (b) a reiteration of the policy against sexual harassment may be appropriate; or (c) where bad faith allegations or misuse of this policy have occurred, disciplinary action shall be taken against the informant (complainant). If a foundation for the allegation exists, appropriate disciplinary procedures will be commenced against the offender. Any original and subsequent disciplinary action will be commensurate with the scope and severity of the occurrence.

SECTION XIII - SUBSTANCE ABUSE AND DRUG-FREE WORKPLACE

A healthy and productive workforce, safe working conditions free from the effects of drugs and alcohol, is essential to the maintenance of quality operations of the City and all services provided to the public. The abuse of drugs and alcohol creates a variety of workplace problems, including increased injuries on the job, increased absenteeism, increased financial burden on health and benefit programs, increased workplace theft, decreased employee morale, decreased productivity, and the decline in quality of overall facility operations. The City will act against employees who use, distribute or possess controlled substances on or off the job, and who violate City policy and rules about possession, distribution, and use of alcohol on the job.

1. All employees are subject to random drug testing.
2. Employees must report to work in a fit condition for duty. Being under the influence of alcohol, illicit drugs or prescription medications that impair the worker's ability to safely do their job or could endanger fellow employees or the public in general is prohibited. If an employee is on prescription drugs, the Department Head may require a physician's certification of their ability to safely do their job.
3. Alcoholism and drug abuse are recognized as illness or "disorders," and the City accepts a shared responsibility for providing channels of help, but it is the employee's responsibility to seek help. The extent of City assistance shall be limited to a referral program to various community resources and to the financial limitations as provided in the City health and medical insurance plan.
4. If the employee seeks help prior to discovery, then confidentiality, job security, and promotional opportunities will be protected. But if the employee does not attempt to seek help and the problem in some way comes to the attention of the City, then disciplinary action will result.
5. Employees who use or distribute drugs on the job are subject to discharge, and any drugs confiscated will be turned over to local law enforcement.
6. If an employee is under treatment with a drug that could alter his or her ability to do the job, the employee could be subject to reassignment within the department.
7. The City may require testing in the cases of "reasonable suspicion" of an employee consuming alcohol, using illegal drugs, or prescription drugs while on the job. Where there is, an accident involving a fatality, a serious injury, substantial damage to vehicles/equipment or substantial damage to other property, only those employees whose performance or lack of performance may have contributed to the incident shall be required to submit to "post-accident" testing.

8. Refusal by an employee to submit to drug testing may be interpreted as insubordination and subject to appropriate disciplinary action, including termination, after consideration of the circumstances and employee previous work history. All testing will be conducted at authorized medical or drug testing center at the expense of the City. Appeals and grievances related to such actions shall be processed and heard through the established grievance procedures of the City.

SECTION XIV - WORKPLACE VIOLENCE

The City is concerned about the increased violence in society, which has also filtered into many workplaces throughout the country. The City has adopted this policy to help prevent incidents of violence from occurring in City workplaces. Pursuant to this policy, the City expressly prohibits any acts or threats of violence by any City employee or former employee against any other employee in or about City facilities or elsewhere at any time. The City also will not condone any acts or threats of violence against City employees or visitors on City premises at any time or while they are engaged in business with or on behalf of the City, on or off City premises.

- A. In keeping with the spirit and intent of this policy, and to ensure that the City's objectives in this regard are attained, the City is committed to the following:
 - 1. To provide a safe and healthful work environment, in accordance with the City's safety and health policies.
 - 2. To take prompt remedial action up to and including immediate termination, against any employee who engages in any threatening behavior or acts of violence or who uses any obscene, abusive, or threatening language or gestures.
 - 3. To take appropriate action when dealing with citizens, former employees, or visitors to City facilities who engage in such behavior. Such action may include notifying the police or other law enforcement personnel and prosecuting violators of this policy to the maximum extent of the law.
 - 4. To establish viable security measures to ensure that City facilities are safe and secure to the maximum extent possible and to properly handle access to facilities by the public, off-duty employees, and former employees.
- B. Any employee who displays a tendency to engage in violent, abusive, or threatening behavior, or who otherwise engages in behavior that the City, in its sole discretion, deems offensive or inappropriate will be subject to disciplinary action, up to and including discharge.
- C. In furtherance of this policy, employees have a "duty to warn" their Department Heads, security personnel, or other appropriate personnel of any suspicious workplace activity, situations or incidents that they observe or that they are aware of, involving other employees, former employees, contractors, or visitors that appear problematic. This includes, for example, threats or acts of violence, aggressive behavior, offensive acts, threatening or offensive comments or remarks, and the like. Employee reports made pursuant to this policy will be held

in confidence to the maximum possible extent. The City will not condone any form of retaliation against any employee for making a report under this policy.

SECTION XV - OCCUPATIONAL SAFETY AND HEALTH

- A. It is the intent of the City to comply with all applicable rules and regulations pertaining to the Occupation Safety and Health Act as established under U.S. Federal Law or Utah State law. No job is so important and no service so urgent that time cannot be taken to perform work safely. Equipment, materials and operations must be understood before they are utilized. Unsafe conditions and circumstances involving accidents or the potential for accidents shall be reported immediately to the Department Head.
- B. The City shall strive to furnish each of its employees a work environment free from recognized hazards that are causing or are likely to cause death or physical harm to such employees and does hereby require that each employee comply with the occupational safety and health standards, orders, rules and regulations promulgated under the Occupation Safety and Health Act (OSHA). Compliance with this Act shall be accomplished through the establishment of an occupational safety and health program as outlined herein.
- C. All employees are covered under the Worker's Compensation Act for any injury sustained during the performance of their job. Compensation will be received for any loss sustained because such injury or death, and for medical and hospital services, medicines and funeral expenses. No compensation shall be allowed for the first three days after the injury, except for authorized medical, nurse and hospital services, and for medicines and funeral expenses. However, if the temporary disability lasts more than fourteen days, compensation shall then be payable for the first three days.
- D. Supervisor shall enforce safety regulations and issue such rules as may be necessary to safeguard the health and lives of employees and public. They shall warn all employees of any known dangerous conditions.
- E. An accurate record shall be kept of all accidents involving an injury to an employee while on duty, whether or not time is lost. These records shall at all reasonable times be available to the Industrial Commission or its representatives upon request. Other records shall be kept as requested by the Industrial Commission.
- F. A listing of telephone numbers or addresses as may be applicable so that necessary help can be obtained in case of an emergency should be posted in a conspicuous place.
- G. Department Head and employees shall be required to insure clean work areas. An excessively littered or dirty work area constitutes an unsafe, hazardous condition of employment and should be remedied within a reasonable amount of time.

- H. A report of any on-the-job injury resulting in disability or lost time shall be submitted by Human Resource Department to the Utah Labor Commission and to the affected employee within seven calendar days on a "First Report of Injury" form. Should any sudden or unusual occurrence or change of conditions occur (such as the appearance of toxic or unusual fumes or gases, major equipment failure, explosions, fires, etc.) that might affect the safety or health of the City employees or tend to increase the hazards thereof, the Human Resource Department or other designated authority shall notify the Industrial Commission of Utah at once. Such notification must be made whether any actual injuries result from the above occurrences or changes of conditions.
- I. No person shall remove, displace, destroy, or carry away any safety device or safeguard provided for use in any place of the City employment or interfere with the use of any method or process adopted for the protection of employees. No employees shall refuse or neglect to follow and obey reasonable orders that are issued for the protection of health, life, safety, or welfare of employees. Willful violation of these rules is grounds for disciplinary action or dismissal.
- J. Additional information relative to the Occupational Safety and Health Act can be obtained from the Utah Labor Commission.
- K. Health & Safety Rules & Regulations: The reason for setting forth Delta City Rules and Regulations is to provide a guide to employees so that their actions will be consistent with the needs of the City and to maintain orderly and effective operations. Of greater importance is the protection of employees from injury. Violations of rules shall subject an employee to either progressive discipline or discharge, depending upon the seriousness of the violation as determined by the City. These written rules do not relieve employees from the duty of using good judgment and working in a manner that will not endanger themselves or coworkers. The following, though not all inclusive, are the General Safety Rules of Delta City:
1. Report all injuries, no matter how slight, to employee's immediate supervisor or Department Head. Medical treatment will be immediately sought, and treatment received at the office of a physician or in a hospital emergency room. The City's ultimate concern will be in the favor of the employee's well-being.
 2. Immediately report any unsafe practices or hazards of which you may become aware.
 3. Learn the safe way to perform your job before you start. If you are not certain that you thoroughly understand the job, ask your supervisor for further instructions.

4. Work or drive at a safe speed. Do not endanger yourself or others by hurrying recklessly.
5. Horseplay and practical jokes are dangerous. Anyone involved in these practices may be subject to disciplinary action.
6. Keep your work area clean always. Good housekeeping is the responsibility of every employee. Keep stairways, passageways, exits, and sidewalks clean and clear, this will help avoid slips and falls.
7. Be aware of fire extinguishers. Know how to use them. Know the location of emergency exits.
8. Be aware of the location of first aid kits and eyewash equipment. For chemical hazards, know the location of emergency showers or a dependable water/rinse supply.
9. Persons under the influence of restricted drugs or intoxicants shall not be permitted access to City property. Restricted drugs or intoxicants are not permitted on or in City property.
10. Individuals who are taking medicine which might make them drowsy or produce hazardous side effects must report this to their Department Head.
11. Smoking is permitted only in designated areas.
12. Cover or protect all ground level openings with barricades or guardrails.
13. Treat all electrical service areas as live wires. Do not touch exposed wires. Report them immediately to your Department Head. Report all damaged electrical tools and cords immediately.
14. Never operate, repair, adjust, or meddle with equipment unless you are authorized to do so. Never oil, adjust, fuel or repair machinery while it is running. Shut off, padlock, and tag-out the electrical controls of machinery while it is being repaired or serviced.
15. Handle all hot water and air lines with care.
16. Personal neatness is valued. Clean hands, clothes, and hair are required.
17. The wearing of jewelry, long hair (untied), or loose-fitting clothing is not permitted in specified areas due to hazardous machinery.
18. Do not operate equipment you have not been trained to operate and have not been authorized to operate by your Department Head.
19. Never operate equipment with guards removed or safety devices inactivated. Never attempt to circumvent or defeat such mechanisms.

20. Do not use defective or damaged tools or equipment. Check all tools before use. Report problems to your Department Head.
 21. The use of personal protective equipment is required. Protect your health. Safety glasses with side shields are required in designated areas and during all "debris producing" operations in the field.
 22. Substantial footwear is required by OSHA and the City, the use of safety shoes is highly RECOMMENDED. No open toed shoes are permitted by Public Works Department employees.
 23. Always wear your seatbelts when operating or riding in a vehicle.
 24. OBSERVE ALL SPECIFIC RULES CONCERNING LOCKOUT, CONFINED SPACE, ETC.
- L. Immunizations: To avoid being infected by various diseases which may be present in either airborne or material carriers and to maintain a healthy workforce; it is the policy of the City to protect employees by providing and paying for the cost of vaccinations. The vaccinations provided by the City include tetanus, Hepatitis A, B and C. The need, type and frequency of other such health maintenance efforts shall be recommended by the Department Head.
1. Public works employees are required to be current on all immunizations as a condition of employment. It is the employee's responsibility to keep record of immunizations on file with the Human Resource Department.
- M. Non-Smoking Policy: It is the policy of the City to comply with all applicable federal, state, and local regulations regarding smoking in the workplace and to provide a work environment that promotes productivity and the well-being of its employees.
1. Employees are expected to exercise common courtesy and to respect the needs and sensitivities of coworkers about the smoking policy. However, smokers have a special obligation to keep smoking areas litter-free and not to abuse break and work rules.
 2. Complaints about smoking issues should be resolved at the lowest level possible but may be processed through the City's grievance procedure. Employees who violate the policy will be subject to disciplinary action.

3. The City does not discriminate against individuals based on their use of legal products, such as tobacco, if the use occurs during non-working time and off the City's premises.

SECTION XVI - CITY VEHICLES

All employees who operate City-owned vehicles, whether routinely or occasionally are responsible for abiding by all applicable traffic laws rules and policies. The City carries liability and property damage insurance on all vehicles and, therefore, employees are covered for accidents while driving vehicles on official City business.

A. Policies that apply to use of City vehicles include the following:

1. Safe and courteous operation is mandatory.
2. When on duty or on call, reasonable use for personal, private or convenience is allowed. Such use shall be de minimis and primarily to ensure that the vehicle is available for the employee to respond to call outs and emergency situations, and, specifically not enough to be considered a fringe benefit of employment.
3. A valid Utah driver's license is required before any employee may operate a City vehicle. The class of license shall be as required by the employee's job description.
4. Seat belts shall be properly used always while operating a City vehicle.
5. All accidents involving a City vehicle shall be reported using a City approved form.
6. If an employee is involved in an accident while driving a City vehicle, the following shall apply:
 - a. Stops immediately, stay calm, secure vehicle;
 - b. Help injured and call an ambulance, if needed;
 - c. Call and inform Department Head as soon as possible;
 - d. Don't argue with any involved party;
 - e. Don't apologize to any involved party;
 - f. Call the sheriff's office to investigate and issue an accident report; and,
 - g. Complete an accident report.
7. In the event an individual in the employ of the City receives a moving or nonmoving citation, at the fault of the driver, from a law enforcement agency, in a City-owned vehicle that individual shall be responsible for any fines or fees incurred. The employee must report any violations received in a city-owned vehicle.

8. It is the driver's responsibility to ensure the vehicle is safe to drive. Verify safety of vehicle before operating. If safety problems are evident-do not operate vehicle. Report problems for repair.
9. Vehicles must be kept free of debris, trash, and clutter that can interfere with safe operation.
10. There shall be no riding outside any vehicle or in or on the bed of a truck.
11. Vehicles shall not be loaned to any person, company or other public agency unless prior approval is given by Department Head or Public Works Director.
12.
 - a. Delta City employees shall comply with Utah Code Ann. § 41-6a-1716, as amended, which generally makes it illegal to use a handheld wireless communication device while operating a moving motor vehicle on a highway to:
 - i. text message;
 - ii. manually communicate through an electronic mail system;
 - iii. manually enter data into a handheld wireless communication device;
 - iv. send data, read text, or view images on a handheld wireless communication device; or
 - v. manipulate an application from a handheld wireless communication device.
 - b. Within the requirements of Utah Code Ann. § 41-6a-1716, if you must use a cellular phone while driving city vehicles or while driving personal vehicles for city business shall:
 - i. take all appropriate steps to ensure that you are not distracted by the cellular phone to the point that safety is compromised.
 - ii. connect and use hands-free accessories when using cellular phones.
 - iii. use care when dialing the cellular phone to ensure that safety is not compromised by the dialing process.
 - iv. this may require you to safely pull over to the side of the road in order to look up numbers or dial the

phone.

- v. use care to ensure that phone-related activities do not interfere with your safe operation of the vehicle;
- vi. if you must make notes during the phone call, you should safely pull over to the side of the road before making said notes.

SECTION XVII - PERSONNEL ACTIONS

- A. Promotion: A promotion is defined as a change in job title and/or grade recognizing increased capacity and responsibility of an employee from a position in one grade to a position in another grade having a higher entrance salary. Personnel promoted into a higher pay grade will be assigned to the step in the new grade which results in a pay increase as recommended by the Department Head or approving authority.
- B. Salary Reduction: A Department Head after consultation with the Mayor or City Council may reassign, reclassify, and/or reduce in salary any employee for the good of the organization, because of budget reductions, structure reorganization, program reductions or layoff/reduction-in-force (see Section IV.D. for other policy guidelines regarding salary reduction issues).
- C. Layoff (Reduction-in-Force): Should it become necessary to undergo a reduction of the work force, brought about by a curtailment of operating revenues, technological innovation, the discontinuance or reduction of services, or other grounds consistent with economic and efficient administration of the City; the Department Head and Human Resource Department, working together, shall attempt to utilize the following sequence as far as practicable to achieve the required reduction. Layoffs shall have final approval from the Mayor or City Council.

In determining which employee(s) shall be separated the Department Head shall recommend which job classes are affected and may utilize such factors as, but not limited to, longevity, performance and organizational needs.

- D. Reassignment: An employee may be reassigned to a previous position upon request of the employee or at the direction of the Department Head. Reassignments are conditional. If the previously vacated position has been filled the employee or Department Head must consider other options, which may include separation if the employee is not suited to the position currently occupied. If a reassignment is available, the employee's compensation shall be restored to the rate earned prior to the position change.
- E. Separation: Regular full-time and regular part-time employees are considered "at will" employees and may be subject to separation for reasons other than cause, including, but not limited to reduction-in-force, curtailment of work, or lack of funds. Otherwise, all employees will be retained based on the adequacy of their performance and separated if inadequate performance cannot be corrected. Regular employees have the right to appeal as outlined in Section XIV. Temporary,

seasonal, contract, and exempt personnel may be terminated "at will" or per terms of special agreements.

- F. Transfer: Transfers are defined as a move from one department to another and should not be confused with the managerial function of moving personnel by promotion, demotion or reassignment. Normally, a transfer cannot occur unless there is a vacant position to which the employee can move and for which the employee can qualify. A transferred employee shall retain earned leave and shall continue to accrue leave at their earned accrual rate. Transfers are approved at the direction of the Mayor.
- G. Resignation: Excessive turnover is costly and, therefore, management shall take all precautions necessary to prevent misunderstandings and other avoidable causes for resignation.
 - 1. Whenever an employee resigns, an exit interview should be conducted by the Department Head. If the reason for the resignation is a misunderstanding or mistake by the City, if desired, an effort may be made to correct the situation and retain that employee.
 - 2. Employees who resign and desire to leave the City in good standing are expected to give a minimum of a two week notice if they are to be considered for re-employment at a future date.
 - 3. Withdrawal of a resignation initiated by an employee may occur within three calendar days after giving notice of resignation. Restoration to employment shall be at the consent of the Department Head.
- H. Reinstatement: Former employees, who left voluntarily, and in good standing, may be reinstated to a vacant position only when their qualifications and ability indicate a potential for performance which would clearly exceed expected performance of current, and promotable employees. Previous experience may be given credit in determining placement of employee on salary schedule, if re-employment occurs within three years from the date of separation.
- I. Performance Management: To the extent that it is reasonable and possible, personnel actions shall be directly related to employee performance. The Department Head or designee shall conduct and or direct at least one formal performance evaluation per year. Performance management shall be geared toward increasing employee productivity and accountability. Each Department Head will take this opportunity to counsel employees on job performance, using the employee's job description as a reference, pointing out areas that need improvement as well as identifying outstanding factors.

1. Provisional employees (newly hired) may be formally evaluated at the end of their third month of employment and introductory period. If the employee is retained, they are removed from provisional status and given regular status. Thereafter, each Department Head will rate employees assigned to their department on an annual basis and the evaluation filed with the Human Resource Department. The results of this evaluation shall become a permanent part of the employee personnel file.
2. During the performance review process, the Department Head together with the employee shall determine the current accuracy of the job description. If changes are required the Department Head shall act to ensure that the job description is processed through management, and an assessment made relative to the impact of the changes on the value of the job and job classification.
3. If a Department Head determines that an employee's performance is unsatisfactory, that Department Head will work closely with that employee to assist in bringing their performance to an acceptable level. If at the end of a ninety-day period from the date of the original notification the employee is still not performing at an acceptable level, then the Department Head shall prepare a written report to the Mayor or City Council recommending action to be taken. Recommended actions from a Department Head shall be taken only upon approval of the Mayor or City Council. Corrective action may include: reassignment, reclassification, demotion or discharge.

SECTION XVIII - DISCIPLINARY PROCEDURES

- A. Disciplinary Action: It is not the policy of the City to establish a “progressive discipline” system for its employees. While some acts may result in progressive discipline, as described below, others may result in immediate serious consequences, including termination/dismissal. Administrative procedures have been established for the handling of disciplinary measures taken against employees such as dismissal, reprimand, suspension, and demotion. All such disciplinary measures shall follow finding of fact, the presentation of charges to the employee, and an opportunity for the employee to be heard. It is the responsibility of all employees to observe regulations necessary for the proper operation of the City functions.
- B. Dismissal: No employee may be dismissed from service because of a change in the appointed administration or department heads of the City or for the political expediency of the governing body.
- C. Immediate Suspension: For commission of any of the following and/or similar examples of acts or behaviors, the employee may be subjected to immediate suspension with dismissal pending the results of a formal investigation. The list below is not intended to be all-inclusive, but a representation of the types of acts and behavior that could warrant immediate suspension. A written letter stating reasons for disciplinary action must be sent by certified mail or be hand delivered (by two employees) to the employee and the Governing Body. The Human Resource Department shall schedule and conduct a hearing with the employee within fourteen (14) days of such action. Failure of the employee to appear, without good cause, constitutes a waiver of further appeal by the employee through the City grievance procedure. All dismissals are subject to the review and approval of the Governing Body.
1. Gross neglect of duty.
 2. Insubordination (willful noncompliance to a reasonable directive or assignment).
 3. Conviction of a felony, a crime of moral turpitude, while an employee of the City.
 4. Deliberate or careless conduct endangering the safety of the employee, other employees or the public.
 5. Inducing or attempting to induce any employee to commit an unlawful act or violation of the City regulations, policy, procedures, practices or orders.

6. Incompetence and inefficiency in the performance of job duties that cannot be corrected and has resulted in one or more unsatisfactory rating on performance evaluations.
 7. Carelessness or negligence with the City funds or property.
 8. Theft or intentional destruction of the City property.
 9. Intentional falsification of personnel records, time reports, or other the City records or documents.
 10. Being under the influence of intoxicants or drugs while on duty.
 11. Engaging in the distribution of or having possession of illegal drugs.
 12. Acting in a violent manner or threatening violence.
- D. Verbal Warning: Whenever grounds for disciplinary action exist, and the Department Head determines that more severe action is not required, the Department Head should verbally communicate to the employee the observed deficiency. Written documentation of the reprimand will be kept for future reference. Sufficient time for improvement should be given before more formal disciplinary action is taken unless extenuating circumstances dictate otherwise.
- E. Reprimand: The Department Head may reprimand an employee in writing for any of the reasons listed below. Such reprimand should be addressed to the employee and a signed copy should be placed in the employee's personnel file.
1. Failure to report to work without notifying the Department Head, unless it is impossible to give such notice and/or excessive absenteeism or tardiness.
 2. Horseplay and related kinds of activities which create safety hazards or distract other workers.
 3. Violating a safety rule or practice.
 4. Smoking in posted or unauthorized areas.
 5. Engaging in violent behavior or threatening violence.

6. Inattentiveness to work, failing to start work at the designated time, quitting work early, or leaving employer's work premises without authorization from the Department Head.
7. Vending, soliciting, or collecting contributions on the employer's time or premises without proper authorization.
8. Unauthorized personal use of company equipment.
9. Violating City, State or Federal Policy.
10. Performance related. Mistakes, oversights, unsatisfactory performance, insubordination, creating discord in the work place.
11. Any other action that a supervisor, department head, Mayor or Council deems to be unfitting of a Delta City representative.

F. Reprimand Procedure:

1. First Reprimand: A written warning notice will be issued to the employee, with a copy placed in the employee personnel file.
2. Second Reprimand: Ten hours of leave without pay.
3. Third Reprimand: The penalty for a third reprimand shall be forty hours of leave without pay and possible dismissal (subject to paragraph "F").
4. Third Reprimand within 1 year or 4 Career Reprimands: the employee may be suspended, demoted and/or dismissed.

G. Suspension: A Department Head may suspend an employee without pay for up to fifteen working days (per incident or occurrence) as a disciplinary measure. On or before the effective date, the employee and Human Resource Department and the Governing Body shall be furnished with a written statement setting forth reasons for the suspension.

H. Demotion: The Department Head may demote any employee. A demotion is defined as a reduction in pay, or position and pay, which may result from poor job performance, incompetence or other disciplinary actions.

I. Appeal: Any employee has the right to appeal. Refer to Section XIX.

- J. Corrective Action: When an employee's performance does not meet established standards for reasons other than willful misconduct, managers shall take appropriate corrective action in accordance with the following rules:
1. The Department Head shall discuss the substandard performance with the employee to discover the reasons for such performance and to plan an appropriate solution.
 2. Appropriate corrective actions include: Closer supervision, training, and referral for personal counseling, reassignment or transfer, use of appropriate leave, career counseling, or separation.
 3. During the implementation of corrective action, the Department Head shall frequently evaluate and document the employee's progress.

SECTION XIX - EMPLOYEE GRIEVANCE & APPEAL PROCEDURE

- A. General Statement: It shall be the policy of the City, insofar as possible, to prevent the occurrence of grievances and to deal with those which occur in a prompt, forthright, and professional manner. Every effort shall be made to adjust grievances within the framework of existing laws and regulations, in a manner mutually satisfactory to employees and management. A grievance may exist when an employee is dissatisfied with some condition or aspect of employment and desires remedial action and is desirous of filing an appeal for relief of the condition. The employee having the grievance shall have responsibility to carry on the grievance process as far as necessary to reach a satisfactory solution. The Department Heads shall assure that all personnel respond affirmatively to this policy and procedure and expedite the resolution or processing of any grievance that may be received.
- B. Procedure:
- STEP 1:** An employee with a grievance or request shall first go to his/her immediate Department Head with a written statement describing the conditions or circumstances and the remedy desired. If a remedy cannot be agreed to within ten (10) days, or if there is no action taken by the Department Head within ten days, the employee shall provide the Human Resource Department with a copy of the grievance for further processing. If the Human Resource Department is the immediate Department Head, skip step two.
- STEP 2:** Whenever a grievance is directed to the attention of the Human Resource Department, that person shall, within five working days, call to order the Personnel Policy Committee to conduct a peer review to discuss all relevant circumstances with the employee and the immediate Department Head and resolve the grievance to the extent the committee deems advisable and possesses authority. The decision of the committee must be delivered in writing within ten working days. In the event that it is necessary for a member of the committee to recuse themselves, the Mayor or his or her designee will act in their place.
- STEP 3:** If the employee is unsatisfied with the decision of the Human Resource Department, the employee shall deliver the written decision of the Personnel Policy Committee, along with a written statement from the employee, to the Governing Body; who shall hear testimony from Department Head, employee and/or employee representative within twenty working days from receipt of notice of grievance. The Governing Body shall render a written decision within ten working days from the date of the hearing, which shall be final and binding as far as the City is concerned.

- C. Non-Grievance Issues: While employees or department heads may appeal the assignment of positions to the job classification and pay grade structure, such management decisions cannot be considered a grievance by an employee. Management reserves the right to make all decisions related to fair and equitable determination of compensation.

SECTION XX - PROGRAMS AND INCENTIVES POLICY

The City's Employee Recognition Program provides opportunities to recognize and reward employees for their years of service, meritorious performance and supportive attitude in addition to normal salary considerations. The program consists of both spontaneous and planned recognition.

The administration of the recognition programs is the responsibility of the City Manager's office. Employee Recognition Request Forms will be submitted by the Department Head to the City Manager's office for review and approval.

- A. Employee Incentives Committee: The Employee Incentives Committee consisting of a Council Appointed Chairperson from administration along with 2 chairperson appointments and a public works and library appointment shall serve as a review committee of the provisions of the employee programs and incentives and make recommendations to the governing body concerning compensation and benefits of all city employees.
- B. Gifting:
 - 1. Significant Event Flowers: Flowers may be sent to City Council members or other personnel who are hospitalized, convalescing, have had surgery, the birth of or adoption of a child. Funeral flowers or plants may be sent to City Council members or other personnel for an employee, spouse, mother, father, children or grandchild.
 - 2. Holiday Gifts: The following individuals may receive a Christmas gift determined by management:
 - a. Benefited employees.
 - b. Part time employees as determined by management.
 - c. Fire Volunteers
 - d. Board and Commission members.
 - e. Crossing Guards.
 - f. Mayor and Council members.
- C. Employee Appreciation Activities: The city shall sponsor the following special events to show appreciation for employees:
 - 1. Summer Party - All employees/volunteers/board members and their families.
 - 2. Christmas Party - Benefited & part time employees who work year-round and a partner/guest. Any exceptions must be approved by the department director.
- D. Facilities Use:

1. Library Card: All Employees are entitled to a library card, regardless of residency.
 2. Full Time and Permanent Part-time employees qualify for fee waivers. All rules of the fee waiver, according to the Facilities Use Policy apply.
- E. Wellness Programs: When funds are available, the Governing Body may direct the Human Resource Department in conjunction with the incentives committee to host wellness programs for the benefit of the employees.
- F. Spontaneous Recognition Program: The spontaneous recognition program is the responsibility of supervisors and subject to the final approval of the Mayor. The purpose is to recognize employees who by their attitude, comments and performance:
1. Increase productivity
 2. Go beyond what is normally expected
 3. Use innovation in problem solving
 4. Consistently perform above expected levels
 5. Perform as a group to achieve safety/production

Efforts should be made by each supervisor to recognize employees in a unique, creative and memorable way. Spontaneous Recognition should be given to those employees who go beyond what is expected of them, not just an acknowledgment that the employee has done what is expected of him. Spontaneous recognition should not become so commonplace that it becomes expected or unappreciated. A Spontaneous recognition will be accompanied with a letter to the employee from the supervisor giving the details of the recognition.

1. Awards may be shared by a team of employees, provided all the employees contribute to the project or act.
2. Employees shall not be considered for an incentive award for performance that is routinely expected for any duty or responsibility.
3. The committee shall provide a statement that describes the amount of the award as well as justification for the award. This statement shall be placed in the employee's permanent personnel file.
4. Where monetary awards are provided, they shall be delivered through the office of the City Treasurer, separate from the regular payroll process in the form of Chamber Bucks or other gift card.

G. Planned Recognition Program.

1. Years of Service. All Benefitted Employees who have a 5, 10, 15, 20, 25, 30, 35, 40-year anniversary with the city on their anniversary:
 - a. A certificate of service from the Mayor.
 - b. A year of service award pin.
 - b. A check equal to \$10 for every year of service (\$50 for 5 years, \$100 for 10 years, etc.)
2. End of Service Recognition. Benefitted Employee who has worked ten years for the city, and leaves employment for other than disciplinary reasons, with sufficient notice and in good standing, shall receive:
 - a. An appropriate gift:
 - * 10 years – value at/near \$400
 - * 20 years – value at/near \$800
 - * 30 years – value at/near \$1,200
 - b. Reception for Retiring Employees.

H. Employee of the Pay Period. This is a light-hearted way for employees to be recognized by other employees. Each pay period, the current “Employee of the Pay Period” will choose the next recipient. The chosen employee will receive a nominal prize.

- I. Bonuses. Budget permitting the Governing Body may award annual bonuses.
1. Full Time Employees: Full time employees are eligible for an annual bonus at the council’s digression, normally the first payroll of December.
 2. Permanent Part Time Employees: Permanent part time employees are eligible for an annual bonus at the council’s digression, normally the first payroll of December.
 3. Fire Fighter Stipends: Qualifying fire fighters are eligible for an annual stipend at the council’s digression, normally paid the first payroll of July.

PLACEHOLDER FOR ORGANIZATIONAL CHART

ADDENDUM

DEFINITIONS

The following definitions shall apply throughout these policies and procedures, unless context clearly requires another meaning.

APPOINTING AUTHORITY-unless otherwise specifically defined, Mayor & City Council, Governing Body, and Department Heads.

CITY SERVICE EMPLOYEE-means any “regular” employee considered “full-time” for the purposes of these policies and procedures and for eligibility for benefits outlined in this document.

CLASS-means a group of positions sufficiently similar in respect to duties performed, degree of supervision exercised or required, minimum requirements of training, experience, or skill, and other such inherent characteristics, that the same title and the same tests of fitness may be applied to each position in the group.

CLASSIFICATION PLAN-means a plan for the classification of all positions in the City with an appropriate title.

CLASS SPECIFICATION-means a description of the duties and responsibilities of each class of position within the City, and minimum qualifications required for the class of position including training and experience and other qualifications.

COMPENSATION PLAN-means an approved salary scale for the City, including initial, intervening and maximum rates of pay for each class of position.

COMP TIME-means paid time off given to an employee instead of overtime pay in compensation for extra hours of work beyond forty hours.

DEMOTION-means a reduction in grade of an employee, for cause such as inefficiency, or for disciplinary reasons, from one position to another, either within the same class or to a different class having a lower entrance salary with a corresponding lowering of the employee's salary.

DISCRIMINATION-means action taken against an employee because of political or religious opinions or affiliations or because of race, national origin, sex, or any other non-merit factor.

DISMISSAL-means the termination of employment of an employee.

ELIGIBLE-means an individual who is qualified for a position in the City under the provision of these policies and procedures.

EMPLOYEE, EXEMPT-means an employee not afforded protection or due process by these personnel policies and procedures. Employees hired to fill exempt positions serve "at (the) will" of the Mayor and City Council and may be terminated with or without cause at any time during the duration of their employment. The Fair Labor Standards Act contains dozens of exemptions under which specific categories of employers and employees are exempted from overtime requirements. The most common exemptions are the white-collar exemptions for administrative, executive, professional employees and computer professionals.

EMPLOYEE, NON-EXEMPT-means any person in the employ of the City who is hired in accordance with the provisions of these policies and procedures and are covered under the Fair Labor Standards Act (FLSA). Most employees are entitled to overtime pay under FLSA provisions. Employers must pay them one-and-a-half times their regular rate of pay when they work more than 40 hours in a week.

ESRB – The Entertainment Software Rating Board ratings provide concise and objective information about the content in video games and apps so consumers, especially parents, can make informed choices. ESRB ratings have three parts:

- Rating Categories suggest age appropriateness
- Content Descriptors indicate content that may have triggered a particular rating and/or may be of interest or concern
- Interactive Elements highlight interactive or online features of a product, including users' ability to interact with each other, the sharing of users' location with other users, if purchases of digital goods or services are offered, and/or if unrestricted internet access is provided.

ESRB E-EVERYONE RATING - Content is generally suitable for all ages. May contain minimal cartoon, fantasy or mild violence and/or infrequent use of mild language.

FMLA - The Family and Medical Leave Act of 1993 (FMLA) is a United States labor law requiring covered employers to provide employees with job-protected and unpaid leave for qualified medical and family reasons.

GOVERNING BODY-means the Mayor and City Council.

INSUBORDINATION - When an employee refuses to obey a direct order from a supervisor. It can also mean willful or intentional disobedience of a lawful and reasonable request by a supervisor. It may also refer to disrespect or harassment that is directed toward a superior.

MAYOR AND CITY COUNCIL-means the governing body of Delta City as elected by Delta City citizens.

MINIMUM QUALIFICATIONS-mean the requirements for training and experience, and other qualifications, to be measured by written and/or oral examinations, or by performance tests and prescribed for a given class in the job specifications. Applicants with fewer than stated minimum qualifications are deemed ineligible or unqualified.

OBSCENITY - An *obscenity* is any utterance or act that strongly offends the prevalent morality of the time.

OSHA - Occupational Safety and Hazard Committee.

ORIENTATION PERIOD-means an "at will" period of at least six (6) months of regular employment or equivalent beginning with the date of appointment. The orientation period is considered the final step in the selection process prior to achieving regular employment status.

POSITION-means an office or employment in the City (whether part-time or full-time, temporary or regular, occupied or vacant) composed of specific duties.

PROMOTION-means a change in status of an employee from a position in one class to a position in another class having a higher entrance salary.

REASSIGNMENT-means a change in classification of an employee, for administrative or other reasons not included in the definition of "Demotion," from a position in one class to a position in another class normally having a lower entrance salary which could result in a reduction in salary.

RECLASSIFICATION-means a change from one classification to another classification.

REDUCTION-IN-FORCE-means any separation of an employee because of inadequate funds, change of workload, or lack of work, in which the City discontinues the use of the identifiable position occupied by such employee either by discontinuing the performance of the duties of such position or by distributing such duties among other existing positions.

REGULAR EMPLOYEE-means an employee whose continued retention has been approved by The Department Head at the completion of an orientation period; either as a full-time or part-time employee.

REHIRE-means the return to employment of a former employee who has resigned while in good standing, or who has been separated from the City without prejudice or cause. Rehires need not be hired through formal recruitment and selection procedures.

REINSTATEMENT-means the resumption of employment of an employee who has been on leave of absence with or without pay.

RESIGNATION-means the termination of employment at the request of the employee.

RETIREMENT-eligibility is achieved when an employee has obtained the age of 55 and has completed a minimum of 10 years of service to the City.

SALARY ADJUSTMENT-means a change in the rate of pay for an employee to conform with the approved classification or compensation plan.

SALARY INCREASE-means an increase in salary of one or more steps within a grade of the compensation plan.

SERIES-means a group of positions similarly classified as to title and duties, but with graduations in minimum qualifications and salary rates consistent with the degree of responsibilities.

SUSPENSION-means a forced leave of absence without pay for a period not to exceed 15 working days.

TEMPORARY APPOINTMENT-means an appointment or rehire for a period not to exceed nine months.